


Support to NGO sector

Matra project implemented in Slovenia

MEDE European Consultancy

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MEDE European Consultancy is going to change its name to Human European Consultancy.



Table of contents

Executive summary	5
Introduction	5
Achievements in the areas of support	5
Assessment of the achievement of the overall objectives	9
Sustaining the project achievements	11
Recommendations to the Slovene counterparts	13
1. Core information	15
2. Project summary	17
3. Project progress November 2003 - April 2004	19
3.1 Supporting the capacity building of the NGO Centre (CNVOS)	19
3.2 Supporting the development of the regulatory framework	20
3.3 Supporting the network development within the NGO sector	22
3.4 Supporting the development funding mechanisms	23
3.5 Supporting the development of the Government – NGO dialogue	24
4. Project environment and management	27
4.1 Project environment	27
4.2 Management issues	28
5. Evaluation of the project	29
5.1 Introduction	29
5.2 The objectives and strategy in the 2001 inception report	29
5.3 Achievement of the project goals	32
5.4 Project design	44
5.5 Financial implementation	45
5.6 Achievement of the overall goals	45
5.7 Sustaining the project achievements	47
6. Conclusions and recommendations	51
6.1 Conclusions as to the project's effectiveness and efficiency	51
6.2 Recommendations to the Slovene counterparts	52
Annex 1: Logical Framework Matrix Project Proposal	55
Annex 2: Summary table results and achievement	57
Annex 3: Summary table activities and achievement	67
Annex 4: Strategy of cooperation of the government with non-governmental organisations	73
Annex 5: Program national conference	87
Annex 6: Terms of Reference for research and action program	89
Annex 7: Regional workshops for promotion of NGO strategies in Slovenia	107
Annex 8: Governmental co-ordination structure NGO's	111



Executive summary

Introduction

The Matra project "SUPPORT TO NGO SECTOR SLOVENIA", provided from 1 May 2001 to 30 April 2004 technical assistance to the Government of Slovenia and the NGO sector in Slovenia.

The starting point of the Matra project was the analysis that there are many NGOs in Slovenia, but that there are only a few that are well rooted in society and qualified in what they do. Most of the NGOs are not developed enough to become a significant actor in Slovene society and to be a participant in the civil dialogue with the Government.

The original project proposal identified the major areas of technical support as:

- Establishment/ capacity enhancement of NGO support structures, such as an NGO Centre.
- Development of a Regulatory Framework for the NGO sector
- Communication and dialogue between Government and NGOs at central and regional level
- Support the development of networks of the NGO sector.
- Development of funding mechanisms for the NGO sector.

The emphasis on activities in each of these areas has shifted throughout the project. The overall issue of cohesion and coordination of Governmental policy and strategy has gained importance throughout the project when it became clear that it was necessary to provide for an overall framework to "anchor" activities and achievements in each of the areas.

Achievements in the areas of support

At the starting date of the Matra project on 1 May 2001 the NGO Centre CNVOS had already been established and was functioning. The Matra project therefore focussed on capacity enhancement of the NGO Centre rather than establishment.

Indicators for successful capacity enhancement were identified to be as:

1. CNVOS having the capability to develop and implement business/ project plans
2. CNVOS playing a servicing/ support role for (groups of) NGOs
3. CNVOS being a dialogue partner for the Government on NGO relevant issues

In a self-assessment and evaluation process implemented in the year 2003, it became clear that a variety of influences negatively influenced the development of the NGO Centre.

Establishment of an NGO Centre

Major external factors included a strong dependence on its main donor (SVEZ) for funding and guidance on how to become a strategic partner of the Government, as well as the lack of commitment of the NGO sector towards CNVOS as the NGOs common tool to address issues that are relevant for the sector as a whole.

Major internal factors included insufficient internal leadership/ management capabilities (board and director), members failing to show their ownership of and commitment to the organization and insufficient identification of priorities and strategies and subsequent formulation of these priorities and strategies in plans of action.

Following the June 2003 report of the evaluation, it took CNVOS until early 2004 to decide that information exchange, networking among NGOs, promotion of NGOs as well as stimulating the civil dialogue would become its priority areas. The formulation of plans of action has started.

Summarizing the achievements with regard to the NGO Centre in terms of the (paraphrased) effect indicators of the project proposal:

- the NGO Centre is (increasingly) used by NGOs and the Government for exchange of information and documentation (info service function);
- the NGO Centre is a relevant partner in the dialogue with the Government, but it is not the exclusive channel through which Government asks and NGOs give opinions.

Improved regulatory framework for the NGO sector; funding.

The improved regulatory framework for the NGO sector has been assessed during the project against the following indicators:

1. recognition by the Government of responsibility to develop overall policy/ strategy vis à vis NGOs;
2. development of a Government strategy;
3. development of legal instruments relevant for functioning of NGOs: legal status, funding, taxation

The Matra team has stressed throughout the project that regulation needs to be linked organically with the relevant status of policy- and strategy- development. Legislation would subsequently be the reflection of consistency and coherence in government policy towards NGO's.

Hence the team gave major inputs for National Strategy which was developed by an Inter-Ministerial Working Group.



The National Strategy was adopted by the Government of Slovenia in November 2003 and subsequently presented and discussed at a National Conference on 17 December 2003. Introducing legislation on funding and taxation was deemed to be part of the process of negotiation and follow up to the National Strategy.

Measured against the indicators one can conclude that:

- the National Strategy provides the overall regulatory framework in terms of principles and statement of Government commitment;
- the actual delivery of concrete, tangible results in terms of legislation which will provide NGOs a framework with their rights and duties in the areas of legal status, funding and taxation, is only at the very beginning.

Activities related to opening up possibilities for more efficient and rational funding have not been very successful.

An inventory of existing types of funding, bottlenecks in providing and obtaining funding was made by a working group on financing of the NGO Centre but had no follow up. The working group on finance of the NGO Centre ceased to exist. Subsequently the Matra team put more emphasis on including funding in the National Strategy. Results are dependent on the progress in the implementation of the National Strategy.

The reinforcement of communication between the Government and NGOs has been assessed throughout the project against the following indicators:

1. establishment of a dialogue structure
2. provision by the Government for the functioning of the structure
3. actual performance of the structure

A dialogue structure was established as part of the follow up to the National Conference/ adoption of the National Strategy by the Government.

The allocation of resources by the Government to this structure provides a mixed picture. A formal structure is decided upon and set up (Governmental Commission/ National Coordinator/ contact person per Ministry), but there are no clear plan and strategy how to continue and to build on the previous, effective work, for example in the framework of the initial Inter-Ministerial Working group.

Reinforced communication between the Government and NGOs

Also, the separate Government Ministries still have to allocate resources to and to establish a clear mandate for the implementation in their policy area.

The performance of the structure also shows mixed picture. Whereas there is formal communication on establishing an agenda for negotiations, there is no communication yet on a plan of implementation of the National Strategy. Inputs have been provided by the Matra team, but it is by no means clear if, how and when these inputs will be used and in what forum.

The Parliament is still the great absentee in the discussions around the National Strategy on NGOs.

Summarizing the achievements in this area against the (paraphrased) effect indicators of the proposal:

- the Government has taken the necessary decisions to set up a structure for communication/dialogue;
- it is too early to tell to what extent the structure will effectively reinforce the communication between the Government and NGOs, but systematic follow-up is urgently needed now to safeguard sustainability of the concept.

Collective responsibility among the NGOs for development NGO sector and NGO networks developed in specific fields”

Improved networking and collective responsibility among NGOs and development of NGO network in specific field has been measured against the following indicators throughout the project:

1. There are concrete examples of increased co-operation between NGOs on overall issues
2. There are concrete examples of increased co-operation between NGOs in sub-sectors

Initially the Matra team tried to develop networking through the NGO Centre CNVOS and its working groups. When it turned out that there was not much scope for continuing work in this area with CNVOS, the Matra team shifted in the last stage of the project from working through CNVOS to stimulating networking between NGOs in relation to the development of the Government National Strategy on NGOs. Whereas the need for NGO's to formulate their views and principles in order to face the Government strategy raised a sense of urgency for structured co-operation and dialogue between, this had a positive impact on the co-operation between NGOs. The shift in strategy of the Matra team turned out to be successful.

Supporting sectoral networking had to be given up completely, due to a lack of viable counterparts.



Activities related to regionalization of NGO networks were initiated through a series of regional conferences organised by SVEZ and will receive further attention from the side of the Government in the context of Regional Development programmes.

When assessing the achievements in stimulating collective responsibility and networking against the (paraphrased) indicators:

- supporting and stimulating collective responsibility and networking on overall issues has been successful in the framework of the preparation for and follow up to the Government National Strategy;
- stimulating and supporting sectoral and regional networking has not been possible in view of the lack of (a) Slovene counterpart(s)
- despite earlier commitment, so far no initiative has been taken on the side of the Government to continue with this important aspect of civil dialogue in the perspective of decentralisation and local autonomy.

Assessment of the achievement of the overall objectives

The overall, long term project goals of the original project document are:

1. Strengthening the dialogue between the government and the civil society
2. Sustainable development of NGOs and their networks.

The Matra team's point of departure throughout the project has been that the technical assistance provided in the areas of support could only take root if the Government of Slovenia, in consultation with the NGO sector and with Parliament, would develop an overall *policy and strategy vis à vis* the NGO sector, embedded in an institutional framework that would demonstrate the Government's commitment to the issue.

The original Matra project design did not give priority to one project area over another. During the implementation of the project, the relative importance and opportunities and threats for achieving the overall goals became clearer and resulted in shifts of emphases between activity areas.

The strategy dialogue has become the focal point of the project and encompasses the originally separate issues of regulatory framework, funding, dialogue structure.

As part of that process of the strategy dialogue is increasingly owned and therefore propelled by the Slovene stakeholders. This is exactly what the project wants to contribute to.

Assessing the project outcomes against the goal of strengthening the dialogue, the project shows concrete, tangible results:

- institutionalization of the framework for the dialogue
- the adoption of a National Strategy which establishes the responsibility of the Government to support the NGO sector as well as the principles and main topics for the dialogue
- a qualitative and quantitative inventory per Ministry of practices and procedures for involving NGO's in their policy-making, designed as a yearly exercise including feed-back from the NGO-community.

Furthermore, the focus on the National Strategy in the framework of the dialogue has invigorated the NGO side in a positive sense:

- (groups of) NGOs that so far had been undefined as partners in this civil dialogue (ZDOS, foundations, private institutes), became active in this respect
- the process worked as a catalyst for co-operation and networking among groups of NGOs of different nature
- NGOs have experienced that despite differences, it is possible and beneficial to work together on an agenda of common interest, leaving the possibility to separately pursue matters of different interest

The focus on the National Strategy has therefore had a positive effect on strengthening the dialogue, as well as on involvement diverse NGO networks in overall NGO issues, as well as inter-linkage of various networks. This development as such is promising in terms of diversity for the civil society sector.

With regard to contributing to the sustainable development of NGOs, it can be concluded that the project has contributed to creating conditions that will facilitate the adoption of improved regulation, including regulation on funding and taxation, but not the actual deliverance of such regulation itself.

Another important area of activity for contributing to the sustainable development of NGOs and their networks was the support to the NGO Centre CNVOS. The Matra team inputs have helped the NGO Centre to set an agenda for capacity development, but did not yet materialize in real capacity enhancement and effective support of the NGO sector by the Centre.

Finally, the project could only support sectoral and regional networks indirectly through the NGO Centre.



Sustaining the project achievements

Key elements in sustaining the project achievements are:

1. whether the major stakeholders assume real ownership of the results so far,
2. whether there is a framework for cooperation, consultation and harmonization between the major stakeholders (Government and NGOS) and within the two major groups of stakeholders,
3. whether there is the capacity to carry on and to consolidate/ build on the project achievements,
4. whether there are incentives that may help to overcome difficulties.

The major stakeholders in the process are at the one hand the Government through its Governmental Commission and Inter-Ministerial Workgroup, to be facilitated by the National Coordinator and on the other hand the NGO-community with the Initiative Group of NGOs and newly evolving 'networks of networks', with their various sub-groupings.

The Parliament is still the great absentee in the process, although interest is growing.

There is evidence in the actions of the stakeholders of the last year that they are committed to the process of drawing up the National Strategy and the follow up thereof. There is also an agreed framework for consultation and negotiation.

A risk factor is the issue whether there is capacity and commitment on both sides to carry on and to consolidate/ build on the project achievements.

On the Government's side the main capacity is embodied in the Governmental Commission, the National Coordinator, located at SVEZ, but is insufficient. Lack of capacity to follow up can easily frustrate the process as demonstrated by the lack of follow up on Matra team inputs for a implementation and action plan.

There is also the question if and until when SVEZ, at which the National Coordinator is placed, will still fulfil the coordinating role after accession to the European Union on May 1, 2004.

On the NGO side the organizations that are represented in the Initiative Group will provide the capacity to build on the results of the achievements. A risk factor may be that by definition the Initiative Group is a loose network, with different positions and interests.

The project's effectiveness and efficiency

One of the major strategic elements of the project was to bring persons together with experience and expertise in working with NGOs in the various sectors of Government Policy (the NGO coordinators in the various Ministries) to generate a process by which the Governmental stakeholders would create themselves the Governmental policy and strategy.

This strategy turned out to be successful: the Inter-Ministerial Working Group produced the National Strategy, the Matra team helped to manage the process, facilitated and provided expert inputs. The final product is owned by the Slovene counterpart and potentially should have therefore more chance of being implemented than when the Matra team would have "parachuted" its product in.

Within the framework of the National Strategy the development of a regulatory framework on overall issues relating to NGOs is now possible.

The National Strategy has had the effect of waking the NGO community up and stimulating the NGOs to formulate a common stand in reaction to the Government. In that sense the process of formulating and presenting the National Strategy has been quite effective in stimulating NGO networking indirectly.

The Matra team has given substantial support to the NGO Centre, but as outlined earlier, with limited success.

Summarizing the effectiveness of the project:

- The process of facilitating and supporting the Inter-Ministerial Working Group and its individual members has had the most impact on the project achievements as a whole.
- The National Strategy is the basis for a structured and institutionalized dialogue between the Government and NGOs, provided that there will be a process of follow up and implementation.
- The support to the NGO Centre has been less effective, but may still yield results.

Recommendations to the Slovene counterparts

To the National Parliament:

- The Parliament needs to get actively involved on the issues addressed in the National Strategy and become more pro-active in formulating policy regarding these issues.

To the Governmental Commission/ National Coordinator:

- Ensure sufficient expert support of/ input into the Governmental Commission and the National Strategy Governmental negotiation team. One of the most effective and efficient means is to re-activate the Inter-Ministerial Working Group as soon as possible and have a task-force or a similar body of motivated and knowledgeable civil servants provide concrete input and support to the coordination-process, based on inter-ministerial exchanges of practices and expertise.
- Ministers need to ensure that there will be sufficient time, financial resources, expertise, status/mandate and a policy of mainstreaming for the implementation of the National Strategy in their Ministry. Establishing a project group with a clear mandate may be helpful.
- Consider the Matra team's "Terms of reference for research / action program" and its 'Addendum' as input for development of implementation plans for the National Strategy. It is necessary to conceptualize a work plan 2004 as soon as possible and to discuss priorities, actions and time-frame with the NGO-community. Negotiate about a proper time-frame.

To the NGOs:

- Strengthen the role and structure of the Initiative Group and ensure stability by addressing risk factors in the co-operation in a constructive way.
- Give more priority to involving the Parliament in discussions on the follow up than is presently the case.

To the NGO Centre:

- Continue with the elaboration of the profile now selected for the core business (priority areas (info exchange, networking, promotion, civil dialogue), but pay sufficient attention to improvement of professional capacity (follow up to self-assessment/ evaluation).
- Put an emphasis on providing information on networking and obtaining funding under EU programs.



1. Core information

Project name	SUPPORT TO NGO SECTOR SLOVENIA
Project number	SI001201
Location	Slovenia
Theme	Civil Society
Target group	Government and NGOs
Implementing Netherlands organisation	MEDE European Consultancy B.V. tel.: +31 30 634 14 22, fax +31 30 635 21 39, e-mail: office@europeanconsultancy.nl
Implementing CEE organisation(s)	Government Office for European Affairs (SVEZ) NGO Centre (CNVOS)
Duration	1 May 2001 – 1 May 2004
Total project budget	€ 560,670
Maximum Matra subsidy	€ 442,835

The Ministry of Foreign Affairs did provide the grant for this project based on a project proposal which was submitted by MEDE European Consultancy in August 2000. The objectives of the project and the expected results were described in a logical framework matrix, which has been included in this report in Annex 1.



2. Project summary

Key problem(s)	The majority of NGOs in Slovenia are not well organised and structured, The level of dialogue between ministries and NGOs vary from sector to sector, but is mainly fragmented or weak.
Overall objective(s)	<ul style="list-style-type: none"> • Strengthening the dialogue between the Government and the civil society. • Sustainable development of NGOs and their networks.
Project goal	<ul style="list-style-type: none"> • Establishment of an NGO Centre. • Reinforced communication between Government and NGOs at central and regional level (with the implementation of the <i>acquis</i> as a first priority). • Improved regulatory framework for NGO sector. • Collective responsibility among the NGOs for development NGO sector. • NGO networks developed in specific fields. • Improved viability and sustainability of NGOs.
Project results	<ul style="list-style-type: none"> • regular consultation of NGOs on implementation of <i>acquis</i> • networks of NGOs active in a specific field of the <i>acquis</i> • improved regulatory framework • improved mechanism of transfer of funds from the Government budget to NGOs • improved donor coordination
Main activities	<ul style="list-style-type: none"> • Capacity building NGO centre • Development regulatory framework • Network development NGO sector • Development funding mechanism NGO sector • Development Government – NGO dialogue
Management structure	Project management does liaise with Head of Government office for European Affairs and Director of NGO Centre



3. Project progress November 2003 - April 2004

3.1 Supporting the capacity building of the NGO Centre (CNVOS)

In this chapter of the final report the progress during the last reporting period is described. A table summarising the planned and realised implementation during this period has been included in Annex 2 and a summary on the implemented activities and the achieved results has been included in Annex 3.

The main emphasis for the reporting period was foreseen to be on support for the implementation of the results of the self-assessment and external evaluation. It was envisaged to do so by assisting the Board and staff of the NGO Centre (CNVOS) to set priorities for the implementation of conclusions and recommendations of the evaluation in the 2004 workplan. It was also envisaged to provide technical assistance designing and implementing specific priority activities as part of the implementation of the workplan.

The CNVOS Board was scheduled to discuss the reports of the self-assessment and external evaluation early July 2003 and to decide on the steps to be taken on the basis of the reports. However, due to elections for the Board in November resulting in four new Board members, and the necessity to address other issues as well, it was not until January 2004 that the Board reviewed the results of the self-assessment and evaluation process.

At the January meeting the Board decided to adopt in principle the analysis, conclusions and recommendations of the self-assessment, as well as the conclusions and recommendations. Priority areas and issues for action were decided upon.

In the meantime the staff has started to use the findings of the self-assessment and evaluation process to work on the implementation of the recommendations in some areas (human resources, information to members, stakeholders' analyses).

The NGO Centre has a young and enthusiast staff, with good general educational background and some relevant NGO experience. These characteristics, coupled with the fact that the NGO Centre is a small, developing organization, contribute to a high turnover of staff. This fact makes it even more important that policies and activities, as well as development of plans are well documented and recorded in practical work aides, in order not to loose the institutional memory of the organization.

A rather unfortunate consequence of the turnover of staff is that from the 5 -6 staff that were trained on project cycle management techniques/ self-assessment techniques, the director and the UNDP project officer are the only 2 staff persons remaining from the team that was trained. Unfortunate also is the rather long time before the Board of the NGO Centre could discuss the findings of the self-assessment and evaluation process with the consequence that the Matra team could not provide further assistance to the implementation of the conclusions and recommendations,

A positive result of the self-assessment and evaluation process has been, according to the Board of CNVOS, that it:

- stimulated to reflect on CNVOS' role and image among NGOs, but also in a wider context
- revealed that communication between the Board - staff - member organizations needs to be seriously improved
- helped to identify and decide upon priority areas (info exchange, networking, promotion, civil dialogue, positioning)

3.2 Supporting the development of the regulatory framework

The major activities during the reporting period included:

- Preparing, assisting in drafting (a.o. through providing for a moderation process and providing concrete written inputs) the Government NGO National Strategy.
- Completing the survey among all Ministries participating in the Inter-Ministerial Working Groups and providing feedback and inputs on the basis of this for the Government NGO National Strategy.

The main emphasis during the project period was put on:

- creating awareness in Ministries and Government offices about shared problems in dealing with NGO's and the need for general Government policy on 'dialogue between government and NGO's'
- proposing a coordinated working-structure within Government encompassing all ministries to define national policies in this field
- assisting the Inter-Ministerial Working Group with further development of the National Strategy, proposing solutions and alternatives for specific aspects of (interministerial) policies
- assisting the Government through the Government Office for European Affairs in developing coordinated policies and preparing the National Conference of 17 December 2003, in which the Strategy was presented to and discussed with NGO and a wider audience.

The Matra team supported the process of drafting the National Strategy by providing the Slovene expert Vida Ogorelec-Wagner as moderator for the meetings in which drafting of the strategy was discussed, by preparing and being involved in these discussions and by providing concrete written inputs for the strategy.

The Strategy, adopted by the Council of Ministers as a policy-framework (see Annex 4), was discussed with the NGOs at the National Conference on 17 December 2003.

The program of the National Conference (see Annex 5) included among others introductions by the Prime Minister, Mr Anton Rop, the President of the National Council Mr Janez Sušnik, the Head of the EU Delegation, Mr. Erwan Fouere, and Matra team expert Mr. Michel van Hulst.

The Conference is to be followed by action plans, an agreement between the Government and NGOs and further research projects.

The survey which the Matra team developed with the support of SVEZ representative Irma Meznaric on practices and experiences with NGOs (policy, funding and institutionalization of contacts) of Ministries yielded much practical information. This information will be fed back into the Inter-Ministerial Working Group and provides a host of useful information for the Governmental Commission and the National Coordinator to build their follow up of the National Strategy on.

Although Prime Minister Rop had announced at the National Conference to aim for an agreement between the Government and NGOs on implementation of the strategy, the Government side has been very slow in taking the next steps. No progress had been made at the time of writing of this report in drafting an agenda from the Government side for the negotiations, the negotiation team has just been appointed, but their names have not yet been communicated to the NGO side and a letter of the NGOs submitted to outline the agenda from their side, was just about to be answered.

Furthermore, the structure to provide expert input in the process from the Government side, the Inter-Ministerial Working Group, which consisted of the experts of all Ministries in dealing with NGO affairs was changed. A positive development was that the representatives of the Ministries were now formally appointed as contact persons (the end of 2003). A negative development was the lack of continuity in the structure, due to changes in personnel involved in the previous Inter-Ministerial Working Group.

Until now the National Coordinator did not provide for the continuation of Inter-Ministerial meetings, although this practise has proven to be effective in providing information on practices and expertise from one Ministry to another to the greater benefit of the dialogue between Government and NGOs.

The Matra team has provided, on the request of the National Coordinator, inputs for action plan and research activities (see Annex 6). However, it remains unclear to what extent these inputs will be used. Under the circumstance that the Inter-Ministerial Working Group has not been convoked after January 2004¹, the only forum for discussion would be the Governmental Commission. Due to the nature of its composition and low frequency of meetings, this forum is less geared to discussing action and research plan in detail. The fact that the process envisaged to handle the Matra team inputs seems close to deadlock now, renders the inputs unfortunately less effective.

3.3 Supporting the network development within the NGO sector

The major focus with regard to network development of the Matra team has for a long time been the NGO Centre CNVOS and its working groups.

Due to the slow progress in network development as part of the CNVOS activities the Matra team focused on supporting links between the NGO-community (in the broadest sense, so not exclusively the CNVOS membership) and the process of Inter-Ministerial policy development. Consequently networking of NGO's was related to the National Conference in December 2003.

The Matra team focused its efforts with regard to stimulation of networking in the reporting period on providing assistance and advice to the groups of NGOs that constituted the Initiative Group of NGO in the preparation of the national Strategy. The Initiative Group included CNVOS, the Slovene Union of Associations (ZDOS), as well as the umbrella organizations of foundations and private institutes.

Especially ZDOS, representing larger associations and having since the summer of 2003 a coordinating office, has become more and more a consultation and dialogue partner in the run-up to the Government National Strategy. Regular contact was kept and information and ideas were exchanged between the ZDOS office and the Matra team in the process of development of the National Strategy. The same applies to the umbrella organizations of foundations and private institutes.

1 The Inter-Ministerial Working Group convened on 22 April 2004 to give feedback to the Matra team on the draft version of this final report.



Within this field of emerging alternative groupings of NGOs CNVOS has remained an important partner for dialogue in the reporting period for the structured dialogue with the Government. CNVOS played a central role in bringing the various grouping together around the National Strategy, is part of the Initiative Group and provides technical support for the group.

Another (not Matra linked) development which prompted co-operation between NGOs in the reporting period was that the availability of serious amounts of funding for larger projects from the Trust for Civil Society for Central and Eastern Europe ²(Warsaw) necessitated consultation and co-ordination.

As already mentioned in the previous report, the Matra team has co-sponsored with SVEZ the facilitation of 12 *regional* conferences (see Annex 7). The conferences were meant to involve regional NGOs in national networks and developments.

The results in these conferences were reported at the National Conference and provided for an input in the discussions at the National Conference on the strategy.

A follow up to the outcomes of those regional conferences will be initiated in the near future via the recently launched Regional Development Program.

3.4 Supporting the development funding mechanisms

As stated in earlier reports, (Government) funding is of crucial importance for the NGOs in Slovenia. An important stumbling block for NGOs in obtaining Government funding is the difference in policy, criteria, registration requirements, means and amounts between the various Ministries.

Creating coherence and consistency in Government funding of NGOs was one of the major motivations for the representatives of the Ministries to meet for the first time in the Inter-Ministerial Working Group.

The survey among the Ministries on concrete involvement of NGO's in sectoral policy-development and possibilities for improvement included an analysis of the financial support as a by-product. This can be viewed as complementary to the overview of financial relationships between the various Ministries and (groups of) NGOs that has been prepared by a working group of CNVOS in 2002 and was presented and discussed at one of the Inter-Ministerial Conferences. Concerted attempts to improve tendering-procedures of ministries so far did not result in substantial changes as needed though.

2 See for information on the Trust: www.ceetrust.org

The inputs that the Matra team has provided for the development of the action plan and continued research include approaches to improving funding as such, as well as approaches to tax exemptions as part of funding programs of the Government.

Although Government funding remains an important issue, it needs to be borne in mind that important alternative sources of income will be available for NGOs.

In the first place, Slovenia has a long tradition of "charity" and "private sponsoring" of civil initiatives, (although it will be necessary to improve tax-regulations for sponsors and donors in order to make this match with standards in most other EU-countries).

As an important source of income at the short term there is the already mentioned Trust for Civil Society in Central and Eastern Europe. After having provided smaller grants to some NGOs in the past few years, the Trust will embark on a major funding program shortly.

Also, there is the accession to the EU as of 1 May 2004, which will give NGOs access to the regular NGO funding of the EU. Although the Brussels based European Citizen's Action Service, with which CNVOS co-operates, has done some groundwork, a lot still needs to be done to familiarize NGOs with the programs, procedures, do's and don't-s of applying for EU funding. Learning and subsequently teaching the ropes of EU funding to NGOs is an important challenge and task for an organization as CNVOS.

3.5 Supporting the development of the Government – NGO dialogue

The Matra team has continuously stressed the need of a consistent Government policy, based on recognition and awareness of "democratic" dynamics in civil society as opposed to incidental dealings with scattered NGOs.

The initiation of the series of Inter-Ministerial Working Groups, an idea developed between the Matra team contactperson at SVEZ, Irma Meznaric and the team, turned out to provide the perfect platform at the level of Government preceding the establishment of a structure³ (the Governmental Commission) to develop a policy and strategy to engage in a dialogue with NGOs on a Government strategy regarding the role of NGOs in civil society, their influence on specific government decisions and their task in providing public services. Subsequently the dialogue should focus on related regulations and funding mechanisms.

3 See Annex 8: Governmental Coordination Structure NGOs as proposed by the Matra team April 2002



The major activities relating to the development of the dialogue included:

- Continuation of submitting proposals for a development of a strategic approach to our Government counterpart, SVEZ and counselling on the follow up of the Inter-Ministerial Working Groups and on general concepts for NGO-policy in the new national co-ordination-structure.
- Continuation of a series of interviews with Ministries after the 3rd and 4th Inter-Ministerial Working Groups.
- Preparing and providing inputs for National Strategy, including feedback from the survey among Ministries.
- Providing moderation for the process of developing a National Strategy.
- Providing support in the preparations for the National Conference on 17 December 2003 and participating actively in the Conference.
- Preparing proposals for the action and research plans as follow up to the National Conference (see Annex 6).
- Assisting the NGO Initiative Group in their preparations for the National Conference.
- Conducting a survey in the ministries concerning the ways and means they provide for NGO's to influence policy-making in the ministries regarding interest-fields of those NGO's.

The formal appointment of the Governmental Commission and National Coordinator by the Council of Ministers as a responsible structure for developing and implementing NGO-policy in Slovenia has established the institutional framework which ensures the "anchoring" of the development of the policy and strategy at Government level. Together with the draft Strategy document on civil dialogue (see Annex 5) the institutional structure acts as a cornerstone in the process of "Modernising Public Administration", the institutional framework provides for an excellent point of departure for a Government – NGO dialogue on policy and strategy for the NGO sector. A set back is however the fact that in establishing the formal infrastructure the representatives in the Inter-Ministerial Working Group meetings were changed. The representatives of various Ministries in the pragmatic and well-functioning Inter-Ministerial Working Group were persons with direct hand-on experience and responsibility in working with NGOs. However, in the formal decision to appoint the Governmental Commission and the National Coordinator, the appointment of contact persons per Ministry was also included. The National Coordinator did not ask the Ministries to appoint the persons currently participating in the Inter-Ministerial Working Group. The result was that few of the participants in the Inter-Ministerial Working Group were appointed as contact persons and were replaced by contact persons who can be seen as formal contact persons, but not always on the same basis of practical involvement. . Furthermore, until date the Inter-Ministerial Working Group in its new setting has not met as frequently as needed to provide momentum to the process of follow up to the adoption of the National Strategy. The formal infrastructure, which is an important achievement, seems to have partly superimposed on the pragmatic working structure.



4. Project environment and management

4.1 Project environment

The overall project environment received a boost from the National Conference and the discussion on the National Strategy.

The participation in the National Conference by the Prime Minister and other Government representatives and high level representatives, including from the Parliament, has demonstrated commitment on behalf of the Government and initial political will.

At the same time it is clear that the process is still in its early stages. The Governmental Commission still has to establish a practice of meetings, giving directions to the process of civil dialogue.

Whereas the National Strategy is rather a facilitating framework of principles than a strategic action plan, a lot of work lies ahead, both at the national level and at the level of dialogue between the Ministries and the NGOs in their sector.

It has been the experience of the Matra team that the commitment and input through the Inter-Ministerial Working Group of the NGO coordinators at the Ministries, who work on the basis experience and expertise, has been crucial in keeping the momentum of the process. Their commitment and input have also been crucial in providing the practical and pragmatic approach that is necessary to sustain a step by step process.

There was and to a certain extent still is serious concern on the part of the Matra team that replacing persons in the working structure of the Inter-Ministerial Working Group by the formal structure and the reduced frequency of meetings could still turn out to be a step back, if the Inter-Ministerial Working Group is not seriously and frequently involved as an important instrument in the coordination-process.

When meeting Minister Pavel Gantar on the occasion of presenting the draft final report on the project, the Matra team received reassurances that formal structure not only includes the Governmental Commission and the National Coordinator, but still the Inter-Ministerial Working Group. The Minister expressed the view that this combination gives the necessary political and formal legitimization of it, a necessary pre-condition for development *as well as* implementation. The Minister acknowledged the role and importance of the Inter-Ministerial Working Group in the process of follow up to the National Conference, providing expertise and concrete workplan inputs for the Governmental Commission and the Governmental team, negotiating with the NGOs on the implementation plan for the National Strategy.

Although these assurances eased the concern on the part of the Matra team regarding the structure, there still is concern regarding the loss of momentum, caused by the long delay between the National Conference and the actual start of the negotiations on an agreement between the Government and the NGOs, despite the Prime Minister's commitment at the National Conference to aim for an agreement by the end of March 2004.

NGOs have realized that they themselves need to be pro-active. The NGO Initiative group has intervened by letter with the Government on the lack of initiative and proficiency in setting the step from drafting the National Strategy to discussing its implementation.

4.2 Management issues

The project has concluded its run-down phase by the end of the reporting period. By concluding the run-down phase and finalizing this final report, the project should come to its completion.

On the request of the National Coordinator the Matra team has provided elements for a work plan based on the previous process, policy statements made by Government-representatives and needs as defined and analysed by the NGO-community. As reported earlier, no steps have been taken yet on the Government's side to develop a work plan.

It is a matter of serious concern for the Matra team to see that the implementation process that should have followed the adoption of the National Strategy is in danger of evaporating and affects in a negative sense the overall positive results that have been achieved in the project until now.



5. Evaluation of the project

5.1 Introduction

The various progress reports, written after completion of each of the six month project periods, give a picture of the gradual progress and achievements of the project towards the implementation of the project goals and overall objectives.

Section 3 of this report gives the usual overview of the progress and achievements of this final project reporting period.

This section 5 of the final report assesses the achievements of the project as such against the indicators of the project proposal ⁴and against the update of the project goals and the strategy as described in the November 2001 inception report of the Matra team. In the following paragraph the relevant sections of the inception report will be reproduced to allow the reader to make a comparison of the analysis of the situation at that time, what the Matra team *planned* to do and what was actually achieved and how the Matra team sees the present situation and how it explains the factors that contributed to the achievements and failures.

The assessment in the following paragraphs is not only based on the Matra team's own assessment. A series of interviews was conducted before this final report was drafted in order to receive feedback on the achievements of the project of the Slovene counterparts.

A draft for this final report was subsequently discussed with the major Slovene counterparts on 22 and 21 April 2004.

5.2 The objectives and strategy in the 2001 inception report

The 2001 inception report mentions as one of the most striking findings that the list of issues for improvement raised by Government representatives and the list of issues for improvement expressed by the NGOs show more similarities than differences.

The commonly expressed problems were indicating that these two important stakeholders are aware of most of the problems of each other and indicated that task-oriented communication and co-operation between Government and NGOs in finding acceptable and workable solutions should be possible, even if they define the problems differently and want different solutions.

Analysis of the situation and objectives

4 See annex 1: Logical framework matrix project proposal

The list of issues on which Government representatives and NGO representatives agreed on:

- Longer term Government policies, less detailed control, more transparency and consistency, more integral problem-orientation, crossing the boundaries of one Ministry and systematic and objective information and evaluation.
- Improved communication and dialogue between the Government and the NGO sector.
- Development of standards for measuring quality, effectiveness and efficiency.
- A Government attitude which recognises the value in a democratic society of NGO initiative and a concomitant legal and tax framework that facilitates and not restricts the NGO sector.
- A clear and consistent funding policy, which meets the specific requirements of the sector.
- Networking and co-operation within the NGO sector to enhance effectiveness and efficiency.
- Assistance of the NGO sector by a support structure.

There were two striking differences between the Government and State services on the one hand and the NGO representatives, especially the 'new' and active NGO:

- There is a tension between status quo maintenance by the powerful establishment within the NGO community against the promotion and implementation of the ideas and proposals of the powerless 'new' social change agents and innovators.
- There are differences in opinion about the limits of responsibilities, independence, self-determination and social integration of citizens in general or (potential) users/clients between the 'establishment' (government, state services and some longer existing powerful NGOs) and the 'new' client-oriented innovative NGOs.

Of course there are exceptions and good practices in all (sub-) sectors.

The conclusion in the inception report was subsequently that the areas of activity as mentioned in the project proposal were still valid and could be labelled as:

- Communication and dialogue between Government and NGOs at central and regional level.
- Enhancement of the capacity of NGO support structures, such as CNVOS, the NGO Centre.
- Development of a Regulatory Framework for the NGO sector.
- Support the development of networks of the NGO sector.
- Development of funding mechanisms for the NGO sector.

As a preliminary remark to the outline of its strategy the Matra stressed that developing an institutional framework for dialogue, supporting NGO support structure or developing a legislative framework does not pre-empt the responsibility of the Parliament and the Government of Slovenia to develop an overall *policy and approach* vis à vis the civil society sector, including NGOs.

A second remark was the following. The general items on the agenda, like the need for support, a regulatory framework, etcetera, were found to be relevant for almost all NGOs in all sectors. At the same time a need was found to differentiate between sectors. Even a non-exhaustive analysis of the sectors made during the inception period made clear that for example the specific needs and priorities of the health, care and welfare sector, and the consumer-protection sector differ from those in the other sectors.

In view of this, the Matra team concluded that it will have to follow a **two-track approach**. That meant working at the overall level, with the Government, Councils established by the Government, relating with Parliament where necessary and with the NGO sector in general, but at the same time relate to Government offices and (groups of) NGOs in a specific sector. Of course the support per sector of the Matra team has to remain within the boundaries of the (limited) resources of the Matra team. Concrete ideas of inputs of the Matra team were to be found in the reports per sector, attached to the overall inception report.

A pre-condition for the two-track approach "overall/ per sector" would be a good co-ordination and co-operation on the part of all stakeholders:

- Government agencies responsible for overall policy development on the NGO sector
- Government agencies responsible for a specific sector
- Ministers and State-Secretaries, Council of Ministers, and Parliament.
- The NGOs themselves, at a general, but also at the sectoral level
- The support structures for the NGO sector, such as CNVOS

The Matra team warned that the importance of creating the institutional framework as well as instruments to stimulate the development of the NGOs overall and per sector to avoid loss of effectiveness and efficiency cannot be underestimated.

It announced that it would pay special attention to provide analysis and inputs regarding the ensuring co-ordination and co-operation between the overall and sectoral levels.

Outline of the 2001 Matra team strategy

5.3 Achievement of the project goals

The original project design and the inception report include various parallel goals, without giving priority to one goal over the other:

- Establishment of an NGO Centre.
- Reinforced communication between Government and NGOs at central and regional level
- Improved regulatory framework for NGO sector (legal status, funding, taxation).
- Collective responsibility among the NGOs for development NGO sector and NGO networks developed in specific fields.

A summary description of concrete achievements regarding the project goals is given in Annex 2.

Establishment of an NGO Centre

At the starting date of the Matra project on 1 May 2001, nine months had elapsed between submitting the proposal (August 2000) and the approval and actual start of the project. Supporting the *establishment* and early development of an NGO Centre was pre-empted by the actual development: the NGO Centre CNVOS had already been established and was functioning with early 2001. Hence, the focus of the Matra project became rather capacity enhancement of the NGO Centre than the establishment of an NGO Centre.

After the inception period, in which the actual needs for capacity enhancement were assessed through meetings with the Board and staff of CNVOS as well as potential beneficiaries and independent resources persons, Indicators for successful capacity enhancement were identified to be as:⁵

1. CNVOS having the capability to develop and implement business/ project plans
2. CNVOS playing a servicing/ support role for (groups of) NGOs
3. CNVOS being a dialogue partner for the Government on NGO relevant issues

As became clear in the self-assessment and evaluation process last year, a variety of external and internal factors negatively influenced the prosperous development of the NGO Centre.

Major external factors included:

- possibility of too strong an influence of CNVOS' main donor (SVEZ) due to a system of regular consultations and strong dependence on the funding from this donor;
- general lack of availability of funding to implement activities;
- lack of commitment of the NGO sector towards CNVOS as their common tool to address issues that are relevant for the sector as a whole.

5 See Annex 2: Results and achievements.

From the 2001 November inception report (par. 7.4 Enhancement of the capacity of the NGO support structures, CNVOS):

“Even when taking into account the reservations that have been expressed on the set up, the coming into existence and parts of its present policies, the conclusion is that CNVOS can have an important added value for the NGO sector in Slovenia.

CNVOS can play an increasingly important role in building the NGO sector:

Providing inputs on the development of Government policies and instruments, including the institutional and regulatory frameworks.

Introducing standards and mechanisms for monitoring quality, effectiveness and efficiency.

Help to generate ideas as to how to develop the concept of voluntarism in Slovene society.

Make Parliament, Government agencies, political parties, the public at large aware and sensitive to the work of NGOs and their contribution to society.

Develop modalities and conditions for official representation of NGOs at all relevant levels, national as well as international.

Become a relay point of information for and about NGOs for all who are interested in the work of NGOs.

Provide practical training on, NGO decision making, NGO management, (project-) management, fundraising, recruiting and supporting volunteers.

CNVOS still will have to develop the approaches, the structures and the workplans on the above mentioned issues. The Matra team is ready to support CNVOS in its work in these areas and to provide concrete technical input in consultation with the Board, the Executive Director and the working groups of CNVOS.

From a point of view of effectiveness and efficiency the Matra team has a strong preference to work with CNVOS as one of its main partners in the NGO sector. The team needs to be sure that this approach has the desired effect in terms of reaching the whole of the NGO community and that the work of CNVOS has an added value in the experience of the target group, the NGOs. Procedures for mutual assessment of the effectiveness of the input of the Matra team in the work of CNVOS will have to be agreed between the Board of CNVOS and the team.

At the same time the Matra team will have to reach out to the various sectors, as stated earlier. In close consultation and co-operation with the NGOs and the CNVOS the Matra team will continue making inventories of the needs of NGOs and specify some of them as being of real common interest, this should be matched with the existing workplans of CNVOS.”

Major internal factors included:

- board and director need to be much more pro-active in establishing a culture of communication and reporting (= provide an environment of transparency and accountability) between various levels (members, board, staff) and within the organisation;
- members need to show their ownership of and commitment to the organization;
- Board and management were not sufficient in identifying priorities and strategies and subsequently formulating these into plans of action.

The (partly newly elected) board and the director have made considerable effort to improvement the situation with regard to the factors listed above: four priority areas for the activities of CNVOS have been identified, improvements in organizing the work have been made and (part of) the staff has become more knowledgeable about project planning and implementation. In that respect the capability to develop and implement business and project plans has been improved.

CNVOS went through a pressure cooker learning process last year, resulting in identifying and setting its priority areas, which have now been decided as being information exchange, networking among NGOs, promotion of NGOs as well as stimulating the civil dialogue. The experiences until now demonstrate that an organization like CNVOS can have substantial added value in each of these priority areas. It may well be that CNVOS' identity is becoming more clear and focused and is gradually being defined by its role in each of these areas.

The NGO Centre still is a 'central' organization that provides information which is relevant to all NGO and has improved its service capacity in that respect. Furthermore it has proven to be a crucial factor in the reinforcement of the communication between the NGO sector and the Government, even if other networks have emerged that also provide for even stronger inputs from the NGO sector into the dialogue with Government. CNVOS servicing/ supporting role has strengthened.

The NGO Centre is part of the NGO Initiative Group involved in the dialogue with the Government on the National Strategy and the follow up thereof and may continue to be representational of the so-called new and "alternative life-style" NGOs (environmental, human rights and equal treatment NGOs, as well as the family of NGOs which are the heritage of the Soros Foundation in Slovenia). In the meantime the traditional, larger NGOs have established their own facilitation and coordination fora. CNVOS is one of the dialogue partners of the dialogue partners of the Government on NGO relevant issues, but certainly not **the only** partner.

Summarizing the achievements with regard to the NGO Centre in terms of the (paraphrased) effect indicators of the project proposal:

- the NGO Centre is (increasingly) used by NGOs and the Government for exchange of information and documentation (info service function);
- the NGO Centre is a relevant partner in the dialogue with the Government, but it is not the exclusive channel through which Government asks and NGOs give opinions.

The reinforcement of communication between the Government and NGOs has been assessed throughout the project against the following indicators:

1. establishment of a dialogue structure
2. provision by the Government for the functioning of the structure
3. actual performance of the structure

The dialogue structure has been established fairly recently as part of the follow up to the National Conference/ adoption by the Government of the National Strategy.

The provision of resources by the Government provides a mixed picture. At the one hand a formal structure was decided upon and set up (Governmental Commission/ National Coordinator/ contact person per Ministry).

However, there no clear plan and strategy how to continue and to build on the previous, effective work of the initial Inter-Ministerial Working group. Many of the civil servants participating in the initial group have been replaced recently by other staff without the same expertise on the issues at hand and without proper induction or transfer of knowledge. Apart from that no efforts are made to involve separate ministries in the coordination-process.

The actual performance of the structure shows the same mixed picture. Whereas there is formal communication on establishing an agenda for negotiations, there is no communication yet on a plan of implementation of the National Strategy. Inputs have been provided by the Matra team, but it is by no means clear if, how and when these inputs will be used and in what forum.

Furthermore, as pointed out by several representatives of Ministries at the 21 April 2004 feedback meeting on the draft final report:

- none of the Ministries concerned have plans and not an internal structure like a mandate to the representative in the Inter-Ministerial Working Group supported by a Ministerial project group, to implement the National Strategy within the Ministry,

Reinforced communication between the Government and NGOs

From the November 2001 inception report (par. 7.3 Communication and dialogue between Government and NGOs at central and regional level):

"The Matra team can envisage that the new institutional structure of Commission for Co-operation with civil society organisations ... would act as a temporary task force. Such a taskforce might be placed under the responsibility of the Prime Minister, to demonstrate the commitment of the Government as a whole.

The taskforce can develop a Government policy for the stimulation of NGOs (and CSOs). New initiatives and procedures can be formulated as well, including implementation strategies, as well as tendering procedures or financial support procedures in general.

This taskforce should have balanced input by all the stakeholders: Government, NGOs and CSOs, Parliament, experts and the public in general.

The Matra team can assist the taskforce in designing for general legislation or regulations on NGO-support (not the civil society sector as a whole, due to the restraints of the Matra project, which is limited to NGOs).

The Matra team advocates strongly that, as a first step to improve the communication and dialogue and to enable co-ordination in the development of an institutional framework for dialogue, inventories are made per sector of relationships between the various Governmental agencies and Ministries and the NGO sector. The inventories will provide for zero base situation, on which one can build further development. The Matra team can assist in developing the inventories.

The inventories are necessary to design a needs based institutional framework, such as the Civil Society Council and the NGO Council, and a functional support- structure within a sectoral and a supra-sectoral framework.

The Matra team envisages providing direct technical support with regard to the establishment of the Civil Society Council in relation to the NGO representation and iAt the same time the Matra team can provide support if there are initiatives in the sector described in part II of the report to set up mechanisms for dialogue and consultation in the specific sector."



- none of the Ministries provide the necessary resources/ manpower to do the work related to representation in the Inter-Ministerial Working Group and the implementation of the National Strategy; the follow up to/ implementation of the National Strategy has usually landed in the lap of (already) over-burdened staff.

A proper follow up per Ministry of the adoption of the National Strategy will at least entail: a mandate for a person and/or project group for the implementation of the follow up to the National Strategy in the Ministry/ representation in the Inter-Ministerial Working Group, a decision to provide resources/ support to the representative in the Inter-Ministerial Working Group.

Both issues could be tackled by establishing a project group “implementation of the National Strategy” per Ministry, as long as that project group would have a clear mandate and sufficient resources.

Summarizing the achievements in this area against the (paraphrased) effect indicators of the proposal:

- the Government has taken the necessary decisions to set up a structure for communication/ dialogue;
- it is too early to tell to what extent the structure will effectively reinforce the communication between the Government and NGOs, but systematic follow-up is urgently needed now to safeguard sustainability of the concept.
- Follow up in terms of mandate/ resources per Ministry is urgently needed

Improved regulatory
framework for the NGO
sector; funding.

From the November 2001 inception report (par. 7.5 Development of the regulatory framework):

In relation to the development of the regulatory framework, the Matra team likes to reiterate its earlier remark (paragraph 7.2) that the development of a regulatory framework does not pre-empt the Government and Parliament to design an overall policy on the civil society sector.

An overall policy will have to provide the political framework for the adoption of legislation relevant to the civil society sector. Without this policy framework legislation on the legal entity, registration, funding, and taxation of NGOs will be piecemeal, unclear in its concepts and difficult to handle for civil servants and officers of the law. Such a policy will not come overnight, but needs to be developed step by step. In the meantime one has to be practical and start designing the legal instruments that are necessary for a proper functioning of the NGO sector.

As stated earlier (paragraph 4.2) there is no clear and transparent legal framework regulating issues that are relevant to the NGO sector. The process of amending the Associations Act, the law that deals with the legal format that is quite common for an NGO, the legal format of an association will only partly provide for a legal framework for NGOs. Other issues, such as taxation, will still have to be dealt with.

An inventory of issues is needed to get an overview of what has to be part of a regulatory framework before the process of drafting and adoption of legislation is started. Examples and experiences of other countries within the Council of Europe and the European Union can be gathered, if necessary with the help of the Matra team.

As a practical start, the Matra team will provide direct technical assistance to the process of amending the Associations Act.

At the same time the Matra team advocates consultation of the NGO sector on the Associations Act and other legislation that has an important bearing on the civil society and NGO sectors, such as tax legislation. Such consultation can be done for example through the Civil Society Council.

The Matra team can assist in designing the process of consultation."



From the November 2001 Inception report (par. 7.7 Development of funding mechanisms):

“Generally speaking there is a great variety in types of funding that are available to NGOs: Government funding for NGOs to achieve government policies.

- *Funding from international donors.*
- *Fees for services.*
- *Contributions from members.*
- *Donations from the public.*
- *Private sector contributions and sponsoring.*

All these types of funding may be to a larger or lesser extent available in the Slovenian context. Through the development of pilots to design new funding concepts and providing technical support for fund-raising initiatives, the Matra team's purpose is to help to open up fund-raising initiatives, the Matra team's purpose is to help to up funding opportunities that will contribute to enhanced sustainability of NGO's.

As a first step inventories need to be made of existing types of funding and use, of existing procedures and channels. The Matra team can only support such an activity. The activity itself would need to be carried out by a large NGO or the CNVOS.

A more complete inventory can even be made of all financial requests lodged by NGOs including those that did not get the financial response they were looking for. This would make more clear what kind of needs have drawn the attention of NGOs sufficiently to ask for money to help solve these problems and what part of these have been successful in obtaining the requested financing. This approach would help to clarify what the real 'market' of the NGOs is. In Slovenia the National Statistical Office, preferably based on a broad research group, can be in charge of making an inventory of already existing state financing of NGOs and their projects”.

The improved regulatory framework for the NGO sector has been assessed throughout the project against the following indicators:

1. recognition by the Government of responsibility to develop overall policy/ strategy vis à vis NGOs;
2. development of a Government strategy;
3. development of legal instruments relevant for functioning of NGOs: legal status, funding, taxation

As explained in previous progress reports, Slovenia has no single body of legislation that regulates the legal status of organizations. The legal status of associations, foundations and private institutes, the most common legal forms for NGOs, as well as their rights and privileges are regulated in different laws. At the same time, each Ministry has specific legislation on which type of NGO partners it provides funding for, criteria it uses for funding etc.

The Matra team has stressed throughout the project that regulation needs to be linked organically with the relevant status of policy- and strategy- development. Legislation would subsequently be the reflection of consistency and coherence in government policy towards NGO's. In view of this, the Matra team's has continued its efforts geared at the promotion of a concerted regulatory framework, in tune with daily practise, transparency and major expectations in the NGO-community and based first and foremost in the adoption of an overall strategy and policy by the Government.

In the last reporting period the Government indeed adopted a National Strategy, for which the Matra team has given major inputs, thereby recognizing its responsibility as well as indicating the directions of its actions.

The development of legal instruments will be part of the actions which will be the follow up to the adoption of the strategy.

One of the important pieces of legislation is pending before the Parliament: the Associations Act. Once this Act has been adopted there is an updated legal entity framework for the legal forms most adopted by NGOs: associations, foundations and private institutes. Although there are still initiatives from NGOs to strive for a particular Law on NGOs, there is little evidence that such an initiative has much support among NGOs, the Government or Parliament. The argumentation in favour of such legislation is very much related to the imperfections of the present legal framework regarding legal status, funding of NGOs and taxation. However, one can easily argue that it would be more effective to regulate legal status, funding and taxation in separate legislative initiatives, as is at present the Government approach. In our opinion for the Slovenian situation there would be no added value in a special 'Law on NGO's' with all specific bureaucratic conditions that would inevitably come along with it.

Having said that, one also has to conclude that concrete initiatives to introduce legislation on funding and taxation will be part of the process of negotiation and follow up to the National Strategy.

Measured against the indicators one can conclude that:

- the National Strategy provides the overall regulatory framework in terms of principles and statement of Government commitment;
- the actual delivery of concrete, tangible results in terms of legislation which will provide NGOs a framework with their rights and duties in the areas of legal status, funding and taxation, is only at the very beginning.

On a separate note one can also conclude that the activities related to opening up possibilities for more efficient and rational funding have not been very successful so far.

The inventory of existing types of funding, bottlenecks in providing and obtaining funding was made by a working group on financing of the NGO Centre with assistance of the Matra team. The findings of that inventory were discussed in mid-2003 in a conference attended by a broad spectrum of NGOs and representatives of Government agencies. That conference had no follow up and the working group on finance of the NGO Centre ceased to exist.

Subsequently the Matra team put more emphasis on including funding in the National Strategy, which would provide for a follow up in the action plan for the implementation in the strategy.

Again, concrete suggestions for options for funding strategies were made by the Matra team as part of its proposals for the action plan implementing the National Strategy, but follow up is failing until now.

Improved networking and collective responsibility among NGOs and development of NGO network in specific field has been measured against the following indicators throughout the project:

1. There are concrete examples of increased co-operation between NGOs on overall issues
2. There are concrete examples of increased co-operation between NGOs in sub-sectors

As stated earlier the major focus with regard to network development of the Matra team has for a long time been the NGO Centre CNVOS and its working groups.

Stimulation of networking among NGO has been and is an objective that was and is high on the agenda of CNVOS. Activities of CNVOS and the working group system provided a platform for networking among NGOs. One the system of working groups was dissolved part of the platform function disappeared. Whereas there also was not a consistent strategy and plan of activities to support networking, there was not much scope for continued intervention from the side of the Matra team on the issue of networking with CNVOS.

Collective responsibility among the NGOs for development NGO sector and NGO networks developed in specific fields"

From the November 2001 inception report (par. 7.6 Networking):

"Networking among NGOs will have to strengthen the overall coherence among NGOs, but also in the various sectors. It will also have to lead to a better representation of NGOs in specific policy sectors, strengthen the lobbying capacity of NGOs and give the Government a more solid partner in the dialogue.

It helps to improve the functioning of individual NGOs through the exchange of information and experiences and by linking those in common lobbying and fundraising activities.

It will furthermore generate a collective responsibility among NGOs for the development of the sector, their transparency and accountability toward their constituencies, their donors and the public at large.

The Matra team will give direct support to the development of networks in various sectors. Therefore the first round of analyses for various sectors were made (see part II). As a second step, further inventories will be made, in close consultation and co-operation with CNVOS."

The Matra team had to consider alternatives in view of the (lack of) developments in CNVOS in relation to network development. One alternative was to get involved in sub-sector networking, for which there was neither the time, nor would it fit in the Matra team's strategy geared at capacity building at national, overall level.

The other alternative, being most appropriate in view of the Matra project's aims, was to give more attention to networking between NGOs in relation to the development of the Government National Strategy on NGOs.

Hence the Matra team focused on supporting links between the NGO-community (in the broadest sense, so not exclusively the CNVOS membership) and the process of Inter-Ministerial policy development. Consequently networking of NGO's was related to the National Conference in December 2003.

The need to give a coordinated response to the Government's National Strategy, has had an effect to strengthen the networking between NGOs and resulted among others in the establishment of an NGO Initiative Group and a subsequent drive towards a 'national umbrella of NGO-networks'.



The Matra team's emphasis on the development of a Government strategy for dialogue with NGO's had, apart from having an intrinsic value of its own, an impact on the co-operation between NGOs. NGO's needed to formulate their views and principles in order to face the government strategy. This raised a sense of urgency for structured co-operation and dialogue between NGO's.

One of the consequences of the fact that the working groups of CNVOS were not functioning well and were dissolved was that the Matra team had no 'organic' links with counterparts that could join in for sub-sectoral or regional networking. After briefly considering the option of directly approaching sub-sectoral networks, the idea was dismissed as too cumbersome and risky in view of the limited time and resources left in the framework of the project.

Supporting sectoral networking had to be given up completely, also in view of the fact that another actor, the Trust for Civil Society came in with support that generated sectoral networking.

With regard to regional networking, the Matra team has undertaken in the last period of the project various activities related to regionalization of NGO networks. However, due to the lack of a Slovene counterpart that could actually take care of follow up and sustaining the networks, such as for example CNVOS could have been, these activities have had a rather exploratory character. More time and energy than the Matra team still has available are needed to build on this exploratory work.

It can be observed however that there is a keen interest of various important actors such as the Government and the EU in regional capacity building. The major focus is on the Governmental and the economic sectors, but other sectors, such as the NGO sector, are included in the strategic thinking on regional development. This is an indication that the environment for development of regional NGO structures is conducive. Whether this is a trend that will actually materialize in concrete programmes and activities for regional NGO development is too early to tell. Given the emphasis on CNVOS of developing its networking approach, it lies at hand that it will try and stimulate regional development further.

Fortunately in the very final stage of our project we were informed about new initiatives at the side of the Government to follow up the promising results of the first round of regional conferences sponsored by Matra. This will become part of a Program for Regional Development, providing a tripartite council-structure at the regional level encompassing 1) Local authorities 2) Syndicates and 3) NGO's.

The Agencies for Regional Development will support these structures and it was discussed to give them a specific task to support development of NGO-communities at the regional level, as pointed out before during the round of regional conferences. However, this is in a very early stage of conceptualisation.

When assessing the achievements in stimulating collective responsibility and networking against the (paraphrased) indicators:

- supporting and stimulating collective responsibility and networking on overall issues has been successful in the framework of the preparation for and follow up to the Government National Strategy;
- stimulating and supporting sectoral and regional networking has not been possible in view of the lack of (a) Slovene counterpart(s)
- despite earlier commitment, so far no initiative has been taken on the side of the Government to continue with this important aspect of civil dialogue in the perspective of decentralisation and local autonomy.

5.4 Project design

In the project design it was foreseen to work with one coordinating counterpart at the side of the Government, one at the side of the NGO. The main partners (counterparts) in the project have been the Government Office for European Affairs (SVEZ) and the NGO Centre CNVOS.

On the Government side working through one coordinating counterpart has worked out quite well. SVEZ ensured that relationships could be established with the representatives of the Ministries, first bilaterally, later through the Inter-Ministerial Working Group. SVEZ also ensured that there was contact on most functional levels when needed: Parliament, Ministers, State Secretaries, civil servants on all levels in all relevant ministries and government offices, as well as with all relevant NGO's and Institutes in society.

Although the NGO Centre was and still is a main strategic partner in the project, the Matra project had to cooperate with other strategic partners on the NGO side. Identifying such partners possibly could have been included earlier in the project. Fortunately the emergence of other important actors in the NGO sector have enabled the Matra team to diversify its relationships among NGOs later, in order to make the best possible use of the time left.



The project design was included a relatively short inception period with deployment of in total five experts who spent their maximum time in the first year, less in the second year and the least in the last year.

Such a design may be effective in projects that have clearly identified needs for specific types of technical assistance. This project, with a rather complex relationship between a variety of stakeholders that were still in a process of identifying specific needs, might have been served better with a longer inception period, less experts (but with overall the same resources in time and finances) planning their availability and inputs later in the project, once the stakeholders had been able to identify their needs and interests more clearly.

5.5 Financial implementation

Comparing the expenditure with the original budget, no major differences occurred on the level of the main budget lines. The personnel costs (fees, travel and costs of stay abroad) were, after some reallocations during the project, 7% higher than budgetted. These additional costs were compensated by less costs for purchases and operational expenditure and the use of the contingencies budget. A total of 530 working days for Dutch experts and 90 working days for Slovenian experts were paid for by the project. A higher percentage of the working days of the Dutch experts (56%) were spend in the Netherlands than foreseen in the original planning (20%). This was caused by a higher demand of support bridging the periods that no Dutch experts were in Slovenia.

In the project proposal an own contribution of the Slovenian counterparts of Euro 117,835 was foreseen. The actual amount of government subsidies to the NGO centre during 3 years was Euro 272,000 Euro.

5.6 Achievement of the overall goals

The overall, long term project goals of the original project document are:⁶

- Strengthening the dialogue between the government and the civil society
- Sustainable development of NGOs and their networks.

The Matra team's point of departure throughout the project has been that the technical assistance provided in the areas of support could only take root if the Government of Slovenia, in consultation with the NGO sector and with Parliament, would develop an overall *policy and strategy vis à vis* the NGO sector, generating from an institutional framework that would embody the Governments commitment to the issue.

6 See Annex 1 Logical framework matrix project proposal.

The original Matra project design did not give priority to one project area over another. During the implementation of the project, the relative importance and opportunities and threats for achieving the overall goals became clearer and resulted in shifts of emphases between activity areas.

The strategy dialogue has become the focal point of the project and encompasses the originally separate issues of regulatory framework, funding, dialogue structure, etc. This in itself is a major achievement in terms of the project goals, since it means that the process has gained a dynamic that is increasingly owned and therefore propelled by the Slovene stakeholders. This is exactly what the project wants to contribute to.

- As to the goal of strengthening the dialogue, the major contributions of the project have been:
- co-initiating the establishment of the Inter-Ministerial Working Group (IMWG)
- facilitating and providing inputs for a sustained exchanges of expertise and experience through the IMWG
- initiating and providing inputs for the development of the Governmental National Strategy on NGO through the IMWG
- providing assistance and support in the preparations and conducting of the National Conference at which the National Strategy was presented and discussed
- providing inputs for the action and research plan as follow up to the National Conference
- stimulating co-operation among NGO in their coordinated response to the National Strategy and its follow up
- providing assistance to the Initiative Group of NGOs in their response to the National Strategy.

Concrete, tangible results have been obtained in terms of:

- institutionalization of the framework for the dialogue
- the adoption of a National Strategy which establishes the responsibility of the Government to support the NGO sector as well as the principles and main topics for the dialogue
- a survey has been conducted which provides for a qualitative and quantitative inventory per Ministry of practices and procedures for involving NGO's in their policy-making; designed as a yearly exercise including feed-back from the NGO-community.

Furthermore, the focus on the National Strategy in the framework of the dialogue has invigorated the NGO side in a positive sense:

- (groups of) NGOs that so far had been undefined as partners in this civil dialogue (ZDOS, foundations, private institutes), became active in this respect

- the process worked as a catalyst for co-operation and networking among groups of NGOs of different nature
- NGOs have experienced that despite differences, it is possible and beneficial to work together on an agenda of common interest, leaving the possibility to separately pursue matters of different interest

The focus on the National Strategy has therefore had a positive effect on strengthening the dialogue, as well as on involvement diverse NGO networks in overall NGO issues, as well as inter-linkage of various networks. This development as such is promising in terms of diversity for the civil society sector.

Furthermore, the project has created conditions that will facilitate the adoption of improved regulation, including regulation on funding and taxation. However, it has not secured the actual deliverance of such regulation which would have indeed contributed to **sustainable** development of NGOs. Longer term developments have to be awaited to be able to assess to what extent the activities in the project have had that effect.

An important element in contributing to the sustainable development of NGOs and their networks was the support to the NGO Centre CNVOS. The project has inserted ample time, energy and expertise in the enhancement of the capacity of the NGO Centre, as the vanguard in the sustainable development of the sector as such. These inputs have helped the NGO Centre to set an agenda for capacity development, but did not yet materialize in real capacity enhancement and effective support of the NGO sector by the Centre.

Last but not least, the project could only support sectoral and regional networks indirectly, that is through the NGO Centre. When the system of working groups of the Centre ceased to function, the project did not have an 'organic' channel for working with sectoral and regional networks.

5.7 Sustaining the project achievements

Key elements in sustaining the project achievements are:

- whether the major stakeholders assume real ownership of the results so far,
- whether there is a framework for cooperation, consultation and harmonization between the major stakeholders (Government and NGOs) and within the two major groups of stakeholders,

- whether there is the capacity to carry on and to consolidate/ build on the project achievements,
- whether there are incentives that may help to overcome difficulties.

The major stakeholders in the process are at the one hand the Government through its Governmental Commission and Inter-Ministerial Workgroup, to be facilitated by the National Coordinator and on the other hand the NGO-community with the Initiative Group of NGOs and newly evolving 'networks of networks', with their various sub-groupings.

The Parliament is still the great absentee in the process. Nevertheless, as became clear in the process leading to the National Conference and interviews for the evaluation, interest is gradually emerging and Parliament's involvement will undoubtedly become stronger once the negotiations between the two major stakeholders become more concrete and will have consequences in the field of legislation, funding and taxation.

There is clear evidence in the actions of the major stakeholders of the last year that they are committed to the process of drawing up the National Strategy and the follow up thereof. This evidence is corroborated by statements, among others during the interviews held for the purpose of drawing up this report. The fact that the National Strategy is made by Inter-Ministerial Working Group and therefore owned by the counterpart, contributes to its chances of being sustained.

Furthermore, there is an agreed framework for consultation and negotiation which helps to see the process through. Unfortunately the Government has been slow and not very communicative in picking up the process after the National Conference in December 2003, which led to frustrations and diminishing trust at the side of NGOs. A risk factor is the issue whether there is capacity and commitment on both sides to carry on and to consolidate/ build on the project achievements.

On the Government's side the main capacity is embodied in the Governmental Commission, the National Coordinator, located at SVEZ, and the contact persons per Ministry. As already argued earlier (3..5) it is a serious set back that the infrastructure of the Inter-Ministerial Working Group suffers from discontinuity, since meetings were not held and personnel changed.

The Government is not one uniform stakeholder, but made up of various Ministries that still have their own policies, priorities and approaches. Bringing these various stakeholders together on a clear agenda is still an important task of the Governmental Commission and the National Coordinator.



The lack of a clear mandate and resources per ministry (see 5.3 Reinforced communication between the Government and NGOs) illustrates that the commitment and ownership of the Ministries as separate stakeholders is by no means secured yet.

The Governmental Commission is, as stated by its chair Minister Pavel Gantar, a monitoring, overseeing and recommending body. This body will need to be fed by proposals for actions and research in order to be able to play that role. Apart from the National Coordinator with very limited human resources, there is no support-structure within and derived from the Inter-Ministerial Working Group that could naturally develop such plans. The inputs for elements of the action and research plans, prepared by the Matra team on the request of the National Coordinator, may not fall on deaf ears, but there is serious concern that the inputs will fall on infertile ground due to the lack of a working structure/ resources to develop in a coordinated manner action and research plans to pro-actively implement the National Strategy in the first place.

Furthermore, there is the question until when SVEZ, at which the National Coordinator is placed, will still fulfil the coordinating role. Due to the accession to the EU of Slovenia on May 1, 2004, SVEZ is already subject to such an extent of reorganization that coordinating national policy vis à vis NGOs may no longer fall within the remit of its responsibilities. It is not likely however that before the next Parliamentary elections in October 2004 and the subsequent formation of a new Government, far-reaching decisions on changes in the situation will be taken.

On the NGO side the organizations that are represented in the Initiative Group will provide the capacity to build on the results of the achievements. For that purpose they will need to continue to cooperate and to pool resources, because each of the organizations represented in the Initiative Group on its own will not have sufficient capacity and expertise.

A risk factor may be that by definition the Initiative Group is a loose network, with different positions and interests. A process of setting clear priorities and strategies within the Initiative Group is needed to keep together and to be able to harvest in the negotiations on the implementation of the National Strategy in action plans.

If Government does not act as a serious and reliable partner in this process, the fragile coherence of NGO's will understandably disappear easily.

There are certainly incentives that stimulate to continue the dialogue in times when difficulties arise:

- the European Commission has stimulated the inclusion of NGO in the formulation of Slovene policies and will continue doing so even more after accession;

- EU funding will be available for NGOs at a higher level after accession and in order to apply successfully NGO will have to further develop capacity and expertise.

Last but not least, the Matra team has provided the National Coordinator with an elaborate memorandum of elements for an action plan and research agenda, which may help to generate a concrete planning scheme for coordination of NGO-policy in 2004 (and after), as NGO's and Ministries are expecting now after all serious involvement during the last few years.



6. Conclusions and recommendations

6.1 Conclusions as to the project's effectiveness and efficiency

The project aimed to strengthen the dialogue between the Government and the civil society and to contribute to the sustainable development of NGO and their networks.

The strategy of the project had four main strands or sub-strategies:

- supporting the (newly established) NGO Centre,
- stimulating NGO networking,
- stimulating a regulatory framework that encompasses legislation, funding and taxation measure,
- institutionalization/ structuring of the dialogue.

The combination of these strategies has enabled the Matra team to shift emphasis when necessary during the project to have the maximum impact on the overall objectives.

This is what actually happened during the third project period (May – November 2002) when it became clear that a regulatory framework and an institutionalization of the dialogue would not become possible without an overall policy and strategic approach.

Clearly such a policy and strategy needed to be based on the experience and expertise of those who had already been working with NGOs in the various sectors of Government Policy: the NGO coordinators in the various Ministries.

In bringing these persons together the Governmental counterpart SVEZ and the Matra team sought to create momentum and synergy among experts of the Ministries that would lead to a process by which the Governmental Stakeholder created itself the Governmental policy and strategy. This strategy turned out to be successful: the Inter-Ministerial Working Group produced the National Strategy, the Matra team helped to manage the process, facilitated and provided expert inputs, but the final product is in fact owned by the Slovene counterpart and potentially should have therefore more chance of being implemented than when the Matra team would have "parachuted" its product in.

Within the framework of the National Strategy the development of a regulatory framework on overall issues relating to NGOs is now possible.

The National Strategy has had the effect of waking the NGO community up and stimulating the NGOs to formulate a common stand in reaction to the Government.

In that sense the process of formulating and presenting the National Strategy has been quite effective in stimulating NGO networking indirectly, which for reasons explained elsewhere turned out to be impossible directly through the NGO Centre or NGO networks.

The Matra team has given substantial support to the NGO Centre: a series of workshops has been conducted under the auspices of CNVOS with a Slovene co-facilitator with the idea that CNVOS would use these workshops for CNVOS follow up training activities, which did not materialize. The Matra team has conducted a process of self-assessment and evaluation with CNVOS staff members of whom several now have left the organization, which leads to a loss of knowledge. Last, the self-assessment and evaluation has resulted in a report which took a long time to be discussed in the Board. However, recently a follow up was given, which shows that some return on these investments is coming in.

When summarizing the effectiveness of the project one can say that the process of facilitating and supporting the Inter-Ministerial Working Group and its individual members has had the most impact on the project achievements as a whole by leading to a National Strategy that is the basis for a structured and institutionalized dialogue between the Government and NGOs, provided that there will be a process of follow up and implementation.

The support to the NGO Centre has been less effective, but may still yield results.

6.2 Recommendations to the Slovene counterparts

To the National Parliament:

- The Parliament needs to get actively involved on the issues addressed in the National Strategy and become more pro-active in formulating policy regarding these issues.

To the Governmental Commission/ National Coordinator:

- Ensure sufficient expert support of/ input into the Governmental Commission and the National Strategy Governmental negotiation team. One of the most effective and efficient means is to re-activate the Inter-Ministerial Working Group as soon as possible and have a task-force or a similar body of motivated and knowledgeable civil servants provide concrete input and support to the coordination-process, based on inter-ministerial exchanges of practices and expertise.
- Ministers need to ensure that there will be sufficient time, financial resources, expertise, status/mandate and a policy of mainstreaming for the implementation of the National Strategy in their Ministry. Establishing a project group with a clear mandate may be helpful.

- Consider the Matra team's "Terms of reference for research / action program" and its 'Addendum' as input for development of implementation plans for the National Strategy. It is necessary to conceptualize a work plan 2004 as soon as possible and to discuss priorities, actions and time-frame with the NGO-community. Negotiate about a proper time-frame.

To the NGOs:

- Strengthen the role and structure of the Initiative Group and ensure stability by addressing risk factors in the co-operation in a constructive way.
- Involve members of Parliament and opinion-leaders in political parties in discussions on *concrete, collective* expectations towards government and in stimulating the follow up of the National Conference, than is presently the case.

To the NGO Centre:

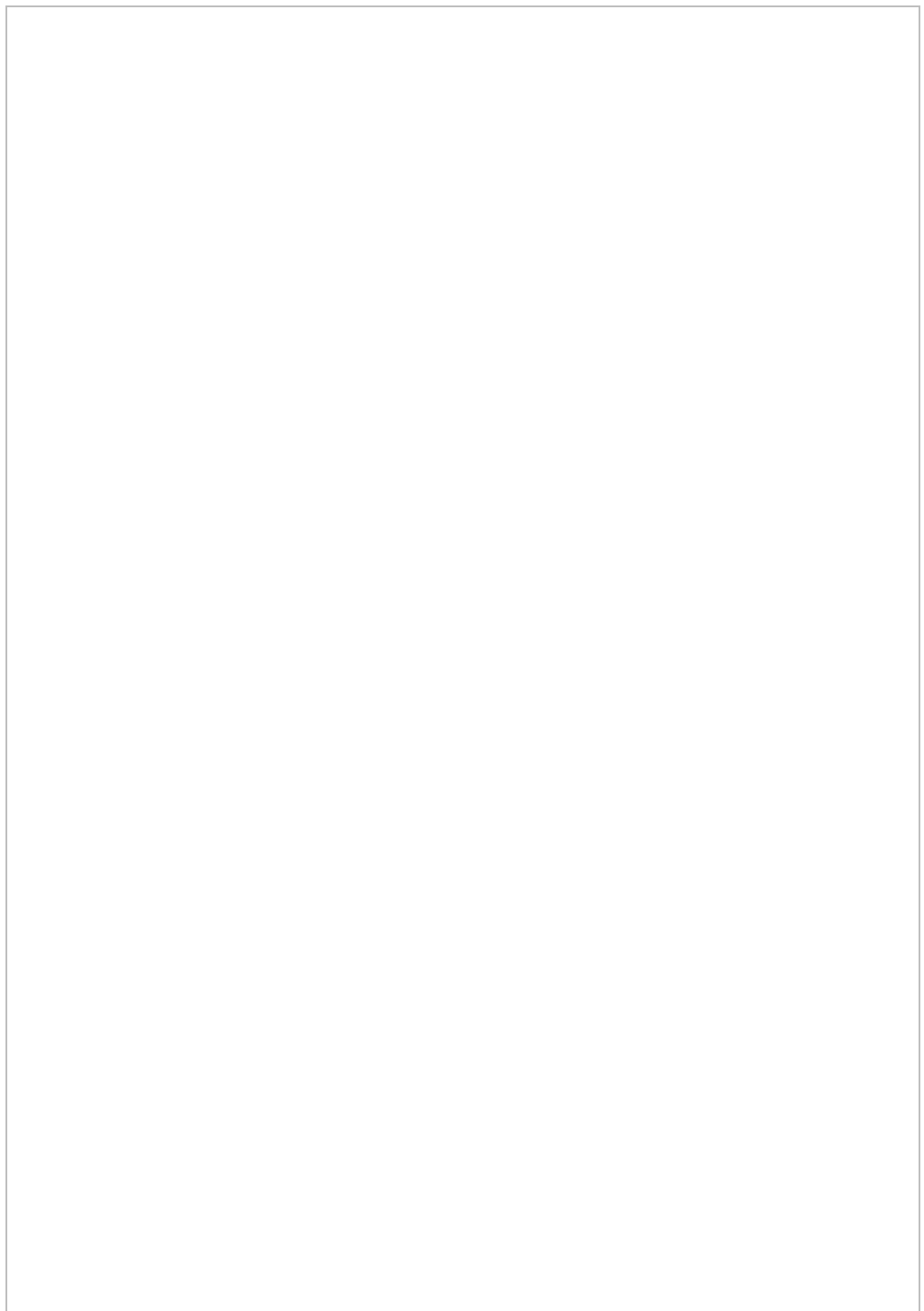
- Continue with the elaboration of the profile now selected for the core business (priority areas (info exchange, networking, promotion, civil dialogue), but pay sufficient attention to improvement of professional capacity (follow up to self-assessment/ evaluation).
- Put an emphasis on providing information on networking and obtaining funding under EU programs.



Annex 1: Logical Framework Matrix Project Proposal

ANNEX 7: LOGICAL FRAMEWORK MATRIX

STRATEGY	INDICATORS	SOURCES OF VERIFICATION	ASSUMPTIONS/RISKS
<p>Overall Objective(s)</p> <ul style="list-style-type: none"> strengthening the dialogue between the Government and the civil society sustainable development of NGOs and their networks <p>Project targets</p> <ul style="list-style-type: none"> establishment of an NGO Centre reinforced communication between Government and NGOs at central and regional level (with the implementation of the <i>acquis</i> as a first priority) improved regulatory framework for NGO sector collective responsibility among the NGOs for development NGO sector NGO networks developed in specific fields improved viability and sustainability of NGOs 	<p><i>Impact indicators</i></p> <ul style="list-style-type: none"> institutionalised dialogue between Ministries and NGOs in specific fields <p><i>Effect indicators</i></p> <ul style="list-style-type: none"> use of centre by Government and NGOs for exchange of information and documentation activities NGO Centre opinions asked by Government and given by NGO's government decisions NGO participation in NGO Centre NGO network meetings held number and diversity of NGOs, which successfully apply for (project)funding in Slovenia and Europe 	<ul style="list-style-type: none"> opinion polls media coverage activity report NGO Centre reports on consultation of NGOs in specific fields publication of government decisions (and evaluation of implementation) publication on donor decisions on funding 	<p>Risks:</p> <ul style="list-style-type: none"> lack of confidence among both parties (Government and NGO's) lack of commitment of ministries to establish a dialogue with NGOs in their sector lack of commitment of NGOs to take collective responsibility for development NGO sector
<p>Results/Outputs</p> <ul style="list-style-type: none"> regular consultation of NGOs on implementation of <i>acquis</i> networks of NGOs active in a specific field of the <i>acquis</i> improved regulatory framework improved mechanism of transfer of funds from the Government budget to NGOs improved donor coordination <p>Activities</p> <ul style="list-style-type: none"> Capacity building NGO Center Development Regulatory Framework Network development NGO sector Development Funding Mechanism Development Government - NGO dialogue 	<p><i>Output indicators</i></p> <ul style="list-style-type: none"> invitations for and reports on consultations meetings organised for/by NGOs in specific fields new/improved regulations agreement(s) between ministries and NGOs on funding mechanism <p><i>Progress indicators</i></p> <ul style="list-style-type: none"> business plan and activity report proposals improvement Regulatory Framework network initiatives new / improved Funding Mechanisms (agenda for consultations NGOs) 	<ul style="list-style-type: none"> quarterly project report 	<p>Prerequisites:</p> <ul style="list-style-type: none"> funding and staffing of NGO Centre government involvement in working groups
<p>Inputs</p> <ul style="list-style-type: none"> Human resources Study-visits / internships Equipment NGO Centre 			



Annex 2: Summary table results and achievement

Intermediate results	Measurable indicators of achievement	Actual achievement	Remarks/reference.
1. Capacity enhancement NGO centre (CNVOS ^a)	Capability to develop and implement business/ project plans	<p>Progressing phase.</p> <p>The system of planning for 2004 has changed. There is evidence of improvement in the newly designed and applied system.</p> <p>Categories of activities are more related to core business activities (providing information/ development of promotional strategies improved).</p>	<p>The process of self-assessment and external evaluation (see 4th progress report) was followed up by the newly elected Board in January 2004.</p> <p>The analysis of the external evaluation was shared by the Board and most of the conclusions and recommendations were agreed with. However, the Board still needs to set a plan which conclusions and recommendations form the evaluation derive priority for implementation.</p>

a. Center nevladnih organizacij Slovenije (CNVOS)

Intermediate results	Measurable indicators of achievement	Actual achievement	Remarks/reference.
	<p>Servicing/ support role for (groups of) NGOs</p>	<p>Progressing phase: Activities in this area include information, educational, counselling and networking services. The information service is systematized: it's working, information provided is regularly re-assessed by asking feedback from recipient NGOs and adjusted. Networking, educational and counselling are still much more "one-off" activities and still need to be put in a framework of how to strategically support NGOs.</p>	

Intermediate results	Measurable indicators of achievement	Actual achievement	Remarks/reference
	<p>Dialogue partner for the Government on NGO relevant issues</p>	<p>Progressing phase. CNVOS is not the exclusive partner for dialogue with the Government, but has been very instrumental in bringing a coalition of NGOs together in the process of preparation of a response to the Governmental National Strategy, presented and discussed at the National Conference on 17 December 2003. In this respect CNVOS has become a key player in the so called NGO Initiative Group</p>	



Intermediate results	Measurable indicators of achievement	Actual achievement	Remarks/reference
2. Improved regulatory framework	Recognition by the Government of responsibility to develop overall policy/strategy vis à vis NGOs	<p>Achieved.</p> <p>The Governmental Commission for NGOs (decision 900-19/2002-1) is established and functions.</p> <p>Dr. Pavel Gantar, Minister of the Information Society, has been appointed as chair. The Governmental Commission meets.</p>	<p>The Governmental Commission (now functioning) has the task to develop policy and strategy, as well as instruments, including the legal and financial ones. Preceding this, first the Inter-Ministerial Workgroup and later the Governmental Commission presented and discussed Government strategy, before working on the regulatory framework and instruments.</p>

Intermediate results	Measurable indicators of achievement	Actual achievement	Remarks/reference
	Development of a Government strategy	<p>Development and progressing phase.</p> <p>The Inter-Ministerial Working Group, which turned out to be the most important vehicle to bring sustainability to the process of developing a draft National Strategy as basis for the dialogue with Civil Society, wrote a draft of the 'Strategy Document on structured dialogue between Government and NGOs in Civil Society'. This document was accepted by the Council of Ministers in October '03 as policy-statement related to the Modernisation of Public Administration (See Annex 4). It was presented and discussed at the National Conference of 17/12/'03</p>	

Intermediate results	Measurable indicators of achievement	Actual achievement	Remarks/reference
	<p>Development of legal instruments relevant for functioning of NGOs: legal status, funding, taxation</p>	<p>Development phase. The proposal for the (amended) Associations Act and new regulations for tax-exemption are still pending in Parliament. New initiatives based on NGO-interests are in preparation via action-oriented research. The Matra team has drafted terms of reference for research projects on these issues (attached). The implementation will start after the finalisation of the Matra project and forms part of the project "heritage" for the Slovene counterpart.</p>	

Intermediate results	Measurable indicators of achievement	Actual achievement	Remarks/reference
3. Improved networking/ network development NGO sector	There are concrete examples of increased co-operation between NGOs on overall issues.	<p>Progressing phase.</p> <p>Overall networks are beginning to institutionalise, e.g. in the organizations of the legal entity type "Foundations" and "Private Institutions"</p> <p>The development of the National Strategy and the availability of a major funding program from the Trust for Civil Society Central and Eastern Europe were factors stimulating networking.</p>	



Intermediate results	Measurable indicators of achievement	Actual achievement	Remarks/reference
	<p>There are concrete examples of increased co-operation between NGOs in sub-sectors</p>	<p>Progressing phase. The necessity to co-operate on the National Strategy and the availability of the Trust funding had a "snowball" effect on the creation of overall networks, but also improved networking among organizations in addition to already existing networks like in the field of drugs, sports and cultural issues.</p> <p>A Matra team supported initiative to stimulate attention for regional development was successful (see chapter 3)</p>	

Intermediate results	Measurable indicators of achievement	Actual achievement	Remarks/reference
4. Improved mechanism of transfer of funds from the Government budget to NGOs	<p>Government acknowledges need for revised funding policies and revises practices.</p> <p>NGOs in various sectors participate in development of funding strategies.</p>	<p>Development/ progressing phase. There is acknowledgement in the draft Governmental strategy of a need to improve/ change practices. This need is also recognized by some individual Ministries.</p> <p>Development phase. Members of the CNVOS centre working group developed proposals which were discussed in a wider circle of NGOs. The proposals will be part of the input of NGOs in the discussions/ negotiations between the Government and the NGOs as follow up to the National Conference of 17/12/03.</p>	<p>Development of overall view is task of Governmental Commission.</p> <p>At the same time NGOs need to formulate their wishes and demands, which they are in the process of doing.</p>

Intermediate results	Measurable indicators of achievement	Actual achievement	Remarks/reference
5. Reinforced/ structured communication Government – NGOs	Government establishes dialogue structure.	<p>Achieved, but improvement needed. The Governmental Commission and National Coordinator function have been assigned a central role in development of strategy and the negotiations on the implementation.</p> <p>By the end of 2003 the Inter-Ministerial Working Group was formalised by appointment of one formal representative per Ministry, not in all cases those with the most daily experience on NGO (related) issues.</p> <p>This caused considerable discontinuity in the work of the Group. After those changes in personnel also the frequency of meetings dropped. This year the Inter-Ministerial working group only convened once so far (in January). Nevertheless, Minister Pavel Gantar, chair of the Governmental Commission, acknowledged the role and importance of the Inter-Ministerial Working Group.</p>	<p>The Governmental Commission and National Co-ordinator have become operative. Their role is to monitor, assess and suggest actions to implement the National Strategy.^a Furthermore, the team for negotiations with the NGO negotiating team will be appointed and be operational before the end of the Matra project.</p> <p>The Inter-Ministerial working group has functioned as the forum that discussed the cross-cutting issues related to a Governmental policy and strategy vis á vis NGOs from an expert perspective. The participants from various Ministries were those with "hands-on" experience in working with NGOs.</p>

a. Interview with Minister Pavel Gantar, 23 March 2003

Annex 3: Summary table activities and achievement

Activities	Measurable indicators of achievement	Actual achievement	Remarks - Reference
<p>1. Supporting the capacity building of CNVOS (the NGO Centre) by following up on the self-assessment/ evaluation process.</p>	<p>Decisions by the Board and membership of CNVOS as to how to follow up on/ implement recommendations stemming from the assessment process.</p>	<p>The decision has been taken by the newly constituted Board of CNVOS to use the report of the external evaluation as guidance in its plan for further development of CNVOS. Concrete decisions on priorities, strategies and actions to implement the report itself still need to be taken. The staff has used the report to improve activities in the field of stakeholder analysis, information providing, management of human resources.</p>	<p>Follow up to the process of self-assessment/ external evaluation took place in the reporting period, which turned out to be only possible after appointment and coming into office of new Board Members. Unfortunately the Matra team cannot assist CNVOS in the prioritising, developing strategies and design of actions to implement the conclusions and recommendations, due to the late stage of decision making in relation to the end of the Matra project. Repositioning of CNVOS in changing NGO-networks-structure has been emphasised.</p>

Activities	Measurable indicators of achievement	Actual achievement	Remarks - Reference
2. Assist development of regulatory framework and co-ordinated Government policy and strategy	Development of a strategic approach and implementation plan by the Government for the NGO sector.	<ul style="list-style-type: none"> • Strategy drafted by Inter-Ministerial Working Group and accepted as policy by Council of Ministers, was presented and discussed at the National Conference 17/12/03 • Preparation by Government actors of the Conference facilitated and supported. • A survey was conducted by Matra team (Slovene) researchers, co-sponsored by SVEZ, on Slovene Ministries' practices and structures in co-operation with/ support of NGOs. The report is bound to appear March 2004. It will provide input in the discussions between Government and NGOs on the implementation of the National Strategy. • The strategy now exists, but a plan still need to be developed. The Matra Team has provided inputs for the development of the plan (see attachments). 	SVEZ (National Coordinator Fedor Cerne and Irma Meznaric) have played a crucial role in making the Inter-Ministerial working group operational and preparing the Strategy Document and National Conference as milestones for well-embedded policy-development with good potentials for continuity.

Activities

Measurable indicators of achievement

Actual achievement

Remarks - Reference

<p>3. Supporting the network development NGO sector; support NGO centre on "cross-cutting NGO issues (funding, taxation, legislation, regionalization)</p>	<p>Regional) networking emerges</p> <p>NGO coordination takes place on "cross-cutting issues".</p>	<p>The Matra team has co-sponsored 12 regional conferences throughout Slovenia aimed at involving the regional NGO-world in national networks and developments. Development of regional structures is however spot-wise but there are some recent indications for their sustainability within the framework of Regional Development Programs.</p> <p>A so-called 'Initiative group' being initiative of main NGO-clusters had carefully prepared sets of 'priorities' for civil dialogue plus related strategy-document as an answer to the governments proposals formulated in the National Strategy. More sub-sector networks also emerge.</p> <p>The Matra team has given inputs, but has not been as instrumental here as on the Government side.</p>	<p>The sense of common interest regarding cross cutting issues addressed in the National Strategy has strongly emerged and works as a catalyst for networking at the national level.</p> <p>A complicating factor still is that there is a strong competition for project funding which might temporarily divide interests and cooperation of NGOs.</p>
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Activities	Measurable indicators of achievement	Actual achievement	Remarks - Reference
4. Supporting the development funding mechanism.	Overview exists of types, procedures, practices and channels.	<p>Survey on practices and financial support</p> <p>The Matra team has initiated and conducted by way of local experts (directed by a member of the Matra team and Irma Meznaric from SVEZ) the survey mentioned in 2 on Slovene Ministries' practices partly also includes some findings and feedback on financial support.</p> <p>Although mainly focused on NGO-influence in Governments policy-making, the survey has as a by-product yielded some authoritative factual information on practices and financial support, which provides a basis for the Governmental Commission to start designing and implementing the action plan for support to NGOs.</p> <p>The survey functions as zero-base measurement for the development of procedure, structures and funding levels.</p>	<p>Every Ministry that deals with NGOs (from Environment, to Social Affairs, to Culture, etc) has its own regulations and mechanisms (direct funding, project funding and calls for proposals). Development of new and common funding concepts will be integrated in development of Government strategy as well as in the strategy to be developed by NGOs.</p>

Activities	Measurable indicators of achievement	Actual achievement	Remarks - Reference
5. Supporting the development of the Government – NGO dialogue.	A structure for dialogue is established and provides a channel for dialogue.	<ul style="list-style-type: none"> • The structure for the dialogue has been established (Governmental Commission/ National Co-ordinator). • The survey on practices of Slovene Ministries analyzes structures/forms. • The results are used as a tool for raising more specific awareness about methods of civil dialogue in ministries as well as in NGO's. . • "Best practice" dialogue structure are used to structure the dialogue in other sectors • A proposal for development of awareness building and support of setting up structures in Government aimed at improving integral NGO-policy is being developed with Matra team inputs (see attachments). 	<p>The establishment of the Government structure for dialogue, the development of the National Strategy and the National Conference are milestones: there is no turning back for the Government after this point.</p> <p>But serious implementation and transparent follow up of primal agreements with NGO's is crucial now, otherwise the previous achievements might become even counter-productive.</p> <p>Matra is seriously concerned and worried about the lack of progress in the first months of 2004.</p>



Annex 4: Strategy of cooperation of the government with non-governmental organisations

Proposal

STRATEGY OF COOPERATION OF THE GOVERNMENT OF THE REPUBLIC OF SLOVENIA WITH NON-GOVERNMENTAL ORGANISATIONS

1. INTRODUCTION

- 1.1 General
- 1.2 Scope
- 1.3 Formal Context
- 1.4 Working Methodology

2. DEFINITION AND FUNCTIONS OF NGOS

- 2.1 Definition of NGOs
- 2.2 Functions of NGOs

3. EVALUATION OF THE SITUATION

- 3.1 International Comparison
- 3.2 The Republic of Slovenia
 - 3.2.1 Background
 - 3.2.2 Impact of the Accession to the EU
 - 3.2.3 General assessment

4. PREMISES, GOALS AND PRIORITIES OF COOPERATION BETWEEN THE GOVERNMENT AND NGOS

- 4.1 Premises
- 4.2 Aims and Measures

5. ADDITIONAL MEASURES

1. INTRODUCTION

1.1 General

The existence and operation of non-governmental organisations (hereinafter: NGOs) are a prerequisite for a full-fledged implementation of the principles of plurality and democracy in a society. Through associating in NGOs and other organisational forms of civil society, individuals exert their influence on the integrated and sustainability-directed social development and the enhancement of social prosperity, quality of life and social safety.

The Government is well aware of the importance of the expertise and efficient work of NGOs. By adopting this document, the Government undertakes to strengthen systematically fundamental and other conditions for their more rapid and more effective development. The Government will respect the principles of difference and complementarity in its relations with NGOs, and endeavour to establish democratic cooperation, based on mutual respect. In setting-up such cooperation, the Government will act in an open and transparent manner, respect fully the principle of independence of NGOs as regards the definition of their goals and activities, and refrain from any acts that might threaten such independence.

The Government is well aware that NGOs conduct in their respective areas of activities important work that is of benefit to the society and it will therefore support the transfer of public functions and competencies to the non-government sector in those cases where NGOs may be more effective and efficient.

In the present Strategy of Cooperation of the Government of the Republic of Slovenia with Non-Governmental Organisations (hereinafter: the Strategy), the Government defines in particular the initial stage and the broadest framework of long-term cooperation that can be successful only under the condition the subject matter and the modalities of cooperation are defined together with NGOs. In this respect the present document is open and will be given its final form in the process of cooperation itself.

1.2 Scope

With this document the Government formally recognises the importance of NGOs and establishes thereby a permanent basis for resolving problems that occur in their operation and development. With the Strategy the Government aims to directly contribute to the promotion of NGOs in the society and to initiate the process of setting up modalities for the NGOs to exert influence, on a permanent basis, on the formulation and implementation of Government policies, to ensure public participation in the adoption of legal acts by Government bodies.

On the basis and within the framework of this Strategy, the Government provides an incentive to start creative cooperation with NGOs, and views it as an additional mechanism, in parallel with the cooperation already existing at the level of individual ministries, towards a more rapid introduction of necessary systemic changes of conditions under which NGOs operate and develop. Concrete solutions therefore remain to be defined in direct collaboration with NGOs, with the themes of cooperation derived from the already recognised problems, existing in practice, and from technical and other documents, prepared by the Government and NGOs. Ever new issues will thus enter into a dialog, allowing the process to respond to particular circumstances at any time. The success of the entire process will depend on the recognition of

relevant issues by both the Government and the non-government side and on the ensuring of an integrated procedure of preparation, implementation and evaluation.

In the context of the introduction of new quality in the relationships between the Government and NGOs, this Strategy is designed as the first and not as the final stage of the active role of the Government in this area. The Government understands this Strategy mainly as a commitment and a broad framework for achieving goals, since on the basis of this document all issues concerned may be systematically transformed into legislative and organisational measures. Along with this Strategy the Government is adopting also additional measures for successful cooperation with NGOs.

The Strategy draws upon the existing practices of cooperation, some more, some less successful, between individual Government departments and NGOs, not substituting but rather upgrading it. Cooperation between Government departments and NGOs within individual policies will continue to be the main form of dealing with and resolving of the issues of NGOs, active in those areas.

The Government wishes that identified cases of good practice would contribute towards more successful cooperation between line ministries and towards the development of cooperation at the regional and local levels.

1.3 Formal Context

The operating of NGOs is connected with three fundamental human rights and freedoms: the right of assembly and association, the right to private property and the freedom of speech. Constitutions of most countries provide for the right of assembly and association; Slovenia's Constitution includes this right in the chapter on human rights and fundamental freedoms.¹ The right of association is based on the provisions of the Universal Declaration of Human Rights², the International Covenant on Civil and Political Rights³ and the European Convention on Human Rights⁴. The above international legal instruments are of special

¹ Article 42: "The right of peaceful assembly and public meeting shall be guaranteed. Everyone has the right to freedom of association with others. Legal restrictions of these rights shall be permissible where so required for national security or public safety and for protection against the spread of infectious diseases. Professional members of the defence forces and the police may not be members of political parties."

² Article 20 of the Universal Declaration of Human Rights provides that everyone has the right to freedom of peaceful assembly and association and that no one may be compelled to belong to an association.

³ Articles 21 and 22 of the International Covenant on Civil and Political Rights provide that everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests. Also, the European Convention on Human Rights (1950) includes the right to freedom of expression (Art. 10) and the right to freedom of peaceful assembly and to freedom of association with others (Art. 11). Article 25 of the Convention provides that any person, non-governmental organization or group of individuals claiming to be victim of a violation of the rights set forth in the Convention, may lodge complaints to the Secretary-General of the Council of Europe, which means that NGOs, too, enjoy the rights referred to in Articles 10 and 11 of the Convention. Slovenia's Constitution provides specifically in the chapter on economic and social relations, Article 76 (Freedom of Trade Unions) for the freedom to establish, operate and join trade unions.

⁴ Article 11 provides that "1. Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests. 2. No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of

importance for Slovenia, since its Constitution stipulates that national laws and regulations must be in compliance with general principles of international law and with treaties that are binding on Slovenia.

In addition to the above international instruments and the Constitution, NGOs are governed by national laws and implementing acts and relevant strategic documents. In Slovenia, there are more than 50 pieces of legislation directly applicable to NGOs and a series of other acts with indirect implications⁵.

Legal bases allowing cooperation between public authorities and NGOs are also important. There are some already in place⁶, and especially important are the decisions adopted by the Government. At the 93rd regular session held on 17 October 2002, the Government adopted the report by the Government Office for European Affairs and concluded that *the existence and operation of NGOs are a prerequisite for unhindered development of the society and for the promotion of the highest standards of democracy in the society and that to this end cooperation between the Government and NGOs needs to be established on the basis and in the framework of a specific strategy.*

At the same session the Government adopted a decision establishing the Commission of the Government of the Republic of Slovenia for Non-Governmental Organisations and for the drawing-up of an agreement between the Government of the Republic of Slovenia and NGOs (hereinafter: the Agreement). The Commission was assigned the task of drawing up a proposal for the Strategy and the Agreement by the end of March 2004 and submitting it to the Government. For the purposes of coordination of the preparation of the documentation concerning the cooperation and for the conduct of consultations with NGOs, the Government designated a National Coordinator for NGOs.

This Strategy is complementary to the project of reforms "Open Public Administration" according to which the three pillars of the open public administration are the following: access to public data, public participation in the adoption of legal acts and regulatory impact assessment (RIA).

1.4 Working Methodology

Representatives of all line ministries, government offices and bureaus that cooperate with NGOs in the course of their work participated in the drawing up of the Strategy. The principal working method applied was moderation based on the active participation in thematic sub-groups, the engagement of external experts and within the framework of assistance provided by the Dutch Government (MATRA programme). All information concerning the work on the project was available to the public on the Internet homepage of the Government Office for the

disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the State."

⁵ The Aliens Act, for instance, includes a provision that defines cooperation with NGOs with respect to aliens and migration issues.

⁶ Participation of NGOs in the work of the National Assembly is possible on the basis of the Rules of Procedures of the National Assembly and, similarly, the Government plan of activities for 2003 contains a guideline to that effect.

European Affairs. The Government informed NGOs on the preparation of the Strategy at the 1st Forum of Non-Governmental Organisations, held in November 2002.

The drawing up of the Strategy has been taking place concurrently with the preparation of the Strategy of the Systemic Development of NGOs in Slovenia in 2003-2008 by certain NGOs. The work on that document started in the beginning of 2002 at the incentive of four NGOs (Centre for the Provision of Information, Cooperation and Development of Non-Governmental Organisations - CNVOS, Legal Information Centre for NGOs - PIC, Slovenian Association of Mental Health - ŠENT, Slovenian Foundation for Sustainable Development - UMANOTERA) and with support from the Trust for Civil Society in Central and East European Countries. Eighty-one NGOs expressed their interest to participate. The Government believes that the document concerned may receive among NGOs a support broad enough to be one of substantive guidelines for the beginning of cooperation.

2. DEFINITION AND FUNCTIONS OF NGOS

2.1 Definition of NGOs

In most countries the NGO-sector is seen as located in a space between the market, the State and the community. Not driven by profit, NGOs do not pertain to the sphere of the market; as private organisations, they are distinct from the State; and certain level of formal organisation distinguishes them from the community characterised by non-formal relations. As a result of the differences in the emphasis given to certain aspects of their operation, NGOs as a sector have different names: non-profit sector (USA), charity sector (UK), voluntary sector, non-taxed sector, non-government sector, social economy, the third sector etc. The two terms most widely used in Europe are the non-government and the non-profit (?ALI MORDA: not-for-profit) sector.

International organisations define NGOs differently, too. The European Union defines certain characteristics seen as common to all NGOs and the Council of Europe defines similar minimum criteria. However, their respective definitions are not identical to the definitions of the United Nations and other international organisations, reflecting the fact that there is no common legal definition of the notion of NGO.

Similarly, in Slovenia there is no legal definition of NGOs. For that reason there exist important differences in the definition of characteristics, criteria or conditions to be fulfilled by NGOs. As a result, there are disagreeing approaches as to which entities are entitled to be considered NGOs.

In this document the term NGO covers any voluntary, independent and not profit-driven civil society organisation that has a legal personality and has been lawfully established by legal or natural persons under private law. The organisation must be established and must operate upon the principle of voluntariness. Also, it must not be profit-driven, meaning that the revenues exceeding the expenditure and the property and assets of the NGO concerned may not be distributed among the members or the management but instead must be used for the attaining of the goals defined in its founding or constituent act. It must be independent, in particular of the government and other State bodies, of political parties and of commercial organisations. The purpose of their activities must be broader than the interests of their membership and/or be of a general benefit or humanitarian.

The above definition of NGOs is not exclusive. The Government is aware of the importance of a common definition and wishes, where appropriate, to upgrade and improve it. Without prejudice to the above definition, the Government wishes to cooperate with other organisational forms of civil society.

2.2 Functions of NGOs

NGOs are one of the pillars of civil society; they are characterised by permanent changes and are a manifestation of the flexibility of social dynamics in democracy. NGOs carry out a number of activities of general benefit that are, for various reasons, not at all or only to a certain degree carried out by public authorities and other public organisations. In pursuing those activities, the NGOs must meet one or several conditions for their work to be conducted soundly, depending on their mission. Among such conditions are the capacity to exchange information, making their findings available to the interested public, research work, managing

data-bases, regular training and education, innovativeness, availability of sufficient human resources and volunteers, readiness for coordination and entering into dialog with the State, ensuring continuity of their activities, etc. If the above conditions are met, the NGOs are capable of assuming a part of responsibility for the general benefit and social development at all levels of their work (local, regional, national and international).

In general, three fundamental functions of NGOs can be defined - though in their daily practical work NGOs may assume several of the following functions:

- **Voice of citizens** - citizens take initiative as they wish to exert their influence in the decision-making at various levels. Characteristic of this function is the "bottom-up" approach, manifested in various formal and informal modalities, such as advocacy (NGOs advocate the interests of powerless or vulnerable groups of individuals); civic dialog (representatives of interest groups endeavouring to establish cooperation with other segments of civil society and the Government, which may take place in a more or less formal framework); participation in decision-making (in certain policy areas the Government may confer a mandate on NGOs to participate in decision-making in any form from compulsory consulting to direct participation in the decision-making process);

- **Social activities** - in their free time people wish to fulfil some of their needs in company and to this end they organise various forms of assistance and self-assistance, as well as sporting, cultural and other social activities. Many of those are a result of spontaneous incentives and receive no State support while others may receive financial assistance, technical infrastructure etc.

- **Certain public services** - various forms of assistance to individuals who need a certain service or care in order to survive, improve their living conditions or be able to develop (e.g. certain functions in the area of public health, education, social care, culture, consumers protection, etc.). Some of those functions have been traditionally provided by the State. In many countries, Slovenia included, the process of transferring the provision of those services to the private sector is currently underway. Some of them can be carried out by NGOs and indeed they often give an incentive to deliver certain services themselves. NGOs provide services to citizens and the Government, on the basis of the established public interest, often provides funding (e.g. counselling for consumers about their rights).

By carrying out the above functions NGOs take on a share of responsibility for general well-fare and social development and for this reason NGOs are entitled, in addition to the formal recognition of their role, to legal protection and co-provision of the material and other conditions for their activities at all levels (local, regional, national and international).

3. EVALUATION OF THE SITUATION

3.1 International Comparison

The practice of the West European countries has known, for several decades already, general rules and laws governing NGOs, in the form of political statements and legislation, that are a result of a long tradition of existence and operation of such organisations or, rather, civil society in the broadest sense of the word. The development and recognition of NGOs dates back to the beginning of 19th century, when different segments of society looked upon the formation of democracy and common interests of NGOs without any collective awareness and recognition of the concept of NGOs as such.

The legislation of West European countries provides for the forms of legal personality, freedom of association and speech, tax reliefs, budgetary financing and public support for not-for-profit organisations that work for public welfare. In individual countries there are not many examples of political documents or ideological guidelines that would provide a political basis for the general recognition of the concept of NGO. However, in the actual fact the concept is implicitly recognised in constitutional provisions and implemented through different laws and sectoral strategies. Where NGOs need political support or recognition, for instance in the sectors of education, industry or health, examples of policy charters or declarations can be found, underlining and encouraging the recognition and provision of opportunities for certain categories of individuals and their NGOs as an expression of their interests. Thus, charters and social agreements have been introduced over the past decades in several countries, concerning the status of consumers, persons with disabilities, students, patients, artists, etc. Often, they have included also the recognition of and support for their specific organisations.

However, since emphasis remains on sectoral or interest-directed activities, in certain West European countries the general concept of NGOs and their position in the democratic society has not been an issue of an independent political debate. The existence and operation of NGOs are simply self-evident. Until recently, there has been no need to substantiate a general concept of NGOs, since NGOs are understood as obvious results of freedom and democracy. The debate is therefore directed to concrete and practical issues that are in most cases sector-specific and particular. Moreover, the development of NGOs dates far back, to different traditions and time frames. Even within the same country there are major differences regarding legal status, financing and recognition of various types of NGOs, operating in different policy areas.

Furthermore, the importance of international NGOs was recognised, as early as in 1951, by the Council of Europe when it adopted a resolution providing for consultation of NGOs on matters within the competence of the Council of Europe. In 1972, the Council of Europe adopted Resolution (72) 35 containing new rules on the Council of Europe's relations with NGOs. In 1986, a new European convention on recognition of the legal personality of international non-governmental organisations was drawn up in the framework of the Council of Europe, aiming at facilitating the work of such organisations at the international level and determining what kind of organisations may be considered to be NGO. Slovenia is a signatory to the Convention.

Also in the framework of the Council of Europe, notably under the Demo-Droit programme - legal cooperation of the Council of Europe for the development and consolidation of the

democratic stability - European countries (both West European as well as Central and East European ones) started a political dialog in 1998, aiming at the establishment of an appropriate legal framework regarding the status of NGOs and the strengthening of civil society in general in the partner countries. The Guidelines to Promote the Development and Reinforcement of NGOs were adopted, upgraded in 2002 by the adoption of the Fundamental Principles on the Status of Non-governmental Organisations in Europe. Individual countries should respect these principles in their legal and other arrangements governing the status of NGOs.

In this context it is worthwhile stressing that the European Union (EU) is based on the principles of freedom, democracy, respect for human rights and fundamental freedoms and the rule of law. All citizens of the EU have the right of free association with the purpose to achieve common goals. Through various (European) associations EU citizens actively participate in the formulation of policies in the framework of the EU. Of course, such participation is different from the activities in a political party.

International NGOs are thus becoming an increasingly important segment of civil society and a strong support for democracy in the EU. The importance of NGOs is not only visible in a declarative form but also in material improvements of their status.

Thus, the European Commission (the Commission) has re-opened a debate on the role, meaning and definition of NGOs since it has identified a democratic deficit in the formulation of policies and decision-making at the EU level and with respect to operational difficulties in the financing of NGOs. After several years of broad discussions the Commission defined minimum criteria to be fulfilled by an organisation in order to be deemed an NGO; also, the Commission has widely opened the door for the NGOs to exert influence on the adoption of decisions regarding the formulation and implementation of policies and participation in the Convention on the Future of the Europe.

Of special importance in this context is the adoption of two documents by the Commission. The first document, the "Commission and NGOs: building a stronger partnership"⁷, defines common characteristics of a non-governmental organisation, the principles of cooperation between the Commission and NGOs, dialog and consultation between the Commission and NGOs, budgetary and staff issues and the flow of information. The entirety of the document is an expression of the serious attitude of the Commission towards NGOs and its effort to solve the difficulties existing within the present cooperation. In the Member States, the document has received considerable attention, especially among NGOs. The second document, the "European Governance"⁸, addresses five fundamental principles, namely openness, participation, accountability, effectiveness and coherence.

The intensification of cooperation with NGOs is a trend also in most OECD countries, which was clearly emphasized at the OECD conference "Citizens as Partners", held in 2002 in Ljubljana.

In the East European countries, the concept of NGOs as such has been developing after 1990 as a backbone of free and democratic State structures. The difference in comparison with the

⁷ The Commission and NGOs: building a stronger partnership, 18 January 2000, (2000) 11).

⁸ European Governance, a White Paper, Brussels, 25.7.2001 (COM (2001) 428 final).

existing West European traditions stems from the fact that in these newly created social systems the non-government sector is still to get its position in terms of a comprehensive reflection. But this could be a certain advantage, since the process of the formation and recognition of civil society, including NGOs, may be dealt with within a single, more or less coherent process. In the light of this, the Government Strategy will contribute to the coordination, intensification and strengthening of the development of NGO with all their functions. A rational structuring of the process could save several years and further reduce the lagging behind the countries with a longer tradition of development of NGOs.⁹ However, all those principles must be implemented in different ways.

3.2 The Republic of Slovenia

3.2.1 Background

Civil society in the currently prevailing meaning of the term began to develop with the emergence of townspeople and their associating into crafts fraternities or charity organisations under the auspice of churches. Following the March Revolution in 1848, people began to associate in reading societies, movement of national rallies and in gymnastic societies. The first law governing the right of assembly, societies and political associations in the territory of the present-day Slovenia was adopted in 1867 in the then Austro-Hungarian Monarchy.

In the periods that followed, organisations of civil society had different status, depending on the developments and changes in the socio-political system. In the period after the World War II, during the time of the State socialism, when the State watched in every respect over the definition of public interest and its implementation, the private, not-for-profit, volunteer organisations of civil society have been pushed to the social fringe. The situation changed as late as in the 1970's, in the period of the self-managing socialism and attempts to transfer certain functions and decision-making processes to lower levels. In practice, the systems often functioned poorly, which resulted in the doubling of State functions. The Socialist Organisation of Working People (the umbrella organisation for the expression of different opinions of groups and individuals in the society) was a transfer of competences of bodies of political power rather than a representative of authentic interests of volunteer organisations and societies.

In the spirit of self-managing socialism and the principle of openness for the expression of the broadest variety of interests, the Societies Act was adopted in 1974. In spite of many shortcomings of the then system, this Act encouraged the setting up and growth of societies, which in turn allowed the expression of interests from the bottom up and the incentive of citizens and not the State. In that period emerged and flourished cultural, sporting and social care societies. Self-help and mutual help groups such as associations of recovering alcoholics, retired people societies, and professional or trade associations were established. At the same time, many other societies such as fishermen's, hunters' or beekeepers' associations were also being set up.

⁹ In October 2000, the "Charter on NGO-Government partnership of East European Countries" was adopted under the Stability Pact, advocating "development of NGOs in an active and responsible civil society through the commitments by participating countries to the incentives of NGOs at regional and national levels." To this can be linked a whole series of national strategies in the form of legislation, area policies, systems of financing and civic dialog.

As late as in 1980, the number of societies reached the massive scale equal to that prevailing on the eve of the World War II. That period was marked by new issues, reflected in the movements for human rights, rights of minorities and same-gender oriented persons, peace, environmentalist, feminist and spiritual movements. Different social practices were reflected most conspicuously in the emergence of numerous sub-cultures. In the second half of the 1980's, the plurality of civic movements underwent significant change. Civic organisations began to emphasise political issues in their activities. That went in parallel with the process of political transformation of society that resulted in the political independence of Slovenia. Since the availability of human resources for the organisations of civil society was limited, the shifting of individuals from the civic to the political sphere resulted in the decline of the strength of civil society. With the migration of individuals into political parties and State apparatus, one part of autonomous themes of civil society moved to the State level, whereas an important part lingered the private sphere, lacking competent human resources and adequate financial support.

Even though in the early 1990's incentives and formal framework were introduced for two new forms of association and organisation - private institutes and establishments -, the non-government sector has only felt a stronger need for its networking and the strengthening of its role in the recent years.

In Slovenia, 6 919 societies were active in 1965, and only 6 761 in 1975¹⁰. According to the Guide to NGOs in Slovenia, in 1999 there were already 15 000 societies - non-governmental organisations¹¹ - active in Slovenia. In 2001, there were 367 private institutes, 135 enterprises for disabled and social integration enterprises, 106 foundations and 817 church organisations¹². By the end of 2002, the number of registered societies increased to 17 666 and the number of private institutes to 129.

3.2.2 Impact of the Accession to the EU

The process of Slovenia's accession to the EU brought about, in a specific way, more rapid changes and greater cooperation between the Government and the non-government sector. The strengthening of NGOs was recognised as a prerequisite for participation, on equal basis, in the decision-making process under EU membership conditions. The structure, rather unclear at the outset, is becoming increasingly transparent. Gradually, the organisations who have broader interests, directed towards improvement of the status of NGOs in general, started to cluster. These organisations clearly indicated that they were interested in the collaboration with the Government in the drawing up of strategic documents. However, in spite of the progress made, the current situation is far from desired and has not reached the level which would be possible with the existing social and economic development.

Originally, measures have been directed towards the strengthening of NGOs and the encouragement of their networking that would in turn make possible their networking with comparable organisations in the EU. The aim was to facilitate in that way the participation of

¹⁰ Register of Associations, kept by the then Republic Secretariat of the Interior.

¹¹ According to the Central Computerised Register of Associations, kept by the Ministry of the Interior, there were 14 722 societies registered as per 31 December 1999.

¹² Kolarič, Zinka - Črnak-Meglič, Andreja - Vojnovič, Maja. 2002. Private non-profit - volunteer organisations in international perspective: FDV. 174-176.

as wide a circle of interested organisations as possible in the processes of decision-making and co-existence within the EU. In this context, the decision that the Government should ensure the conditions for setting up the centre of NGOs, the present day CNVOS, - which the steering group of NGOs that later became the founding members, successfully carried out - was of vital importance. In 2002, the NGOs saw the beginning of an extremely important process of formulation of their own strategy of development, which has been a valuable source also for the drafting of this Strategy.

In Slovenia, there have been several attempts at networking NGOs. It is worthwhile mentioning the Council of Societies, as an attempt at networking within the sphere in order to ensure common position of NGOs in their relations with the Government and Government bodies. Recently, such efforts have gained new momentum. Another organisation worthwhile mentioning is the Institute ZSU - an association of Slovene institutes - established with a view to ensuring the common position of NGOs and joint resolution of common problems. The remaining challenge is the networking of the already existing NGOs networks since that is a precondition for a successful cooperation to the benefit of all NGOs.

The development of NGOs, strengthening of the capacity of Government institutions and conduct of concrete projects have also received foreign assistance (NMCP, MATRA, UNDP, ACCESS, PHARE, etc.).

3.2.3 General assessment

At its session held on 17 October 2002, the Government adopted a report on the cooperation with NGOs in the process of accession to the EU, drafted by the Government Office for European Affairs. The report included some assessments of the current situation. A SWOT analysis of the conditions of operation of Slovene NGOs was carried out at inter-ministerial workshop held on 21 May 2003. The analysis confirmed the extraordinary potential for a rapid development of NGOs. However, it showed a great variety of problems in different fields of activities of NGOs, and solutions, such as the introduction of a system of stable financing, tax reliefs or allowing NGOs to conduct activities that are presently still in the exclusive competence of the public sector. The key finding of the analysis was that the first step on the way towards improvement of the situation and cooperation was the establishment of a structure for cooperation, since it was only through such structure that mechanisms necessary to improve the situation could be introduced¹³ and opportunities offered by fully operating NGOs made use of.

4. PREMISES, GOALS AND PRIORITIES OF COOPERATION BETWEEN THE GOVERNMENT AND NGOs

4.1 Premises

The establishment of cooperation with NGOs is intrinsically a long-term process in which many problems are liable to occur and have to be dealt with; therefore, the Strategy cannot provide concrete solutions to any particular problem. Consequently, solutions are defined as the results of the process of cooperation itself. What needs to be determined, however, are the principles or the premises that must be consistently complied with in the process.

¹³ Among those, the system of tax reliefs was indicated as one of the most important.

In establishing cooperation with NGOs, the Government will observe the following premises :

- sound and diverse work of NGOs as prerequisite for all-round development of a multifaceted society and for the implementation of the principles of democracy;
- in individual fields, NGOs greatly contribute to general welfare, which already does or may, in the future, partly or entirely substitute for the implementation of certain public functions or competences of the public sector;
- current legal and other conditions do not allow NGOs to fully develop and promote all functions in the society;
- the prevalent forms of cooperation with NGOs make possible the recognition and resolution of particular issues within individual policy areas; however, they are insufficient for the recognition of broader systemic barriers and do not allow partner relations in the formulation and implementation of Government policies and therewith also not public participation in the adoption of acts by the State;
- following the completion of such important projects as privatisation, accession to international integrations and similar, as well as concurrently and in connection with the process of modernisation of public administration, new space is created for a more rapid and more effective development of cooperation with NGOs;
- permanent cooperation, whilst respecting the principles of differences and complementarity, is the mechanism that can in the long run ensure the promotion of best solutions for the enhancement of the conditions under which NGOs operate and develop,
- sustainable measures, providing open, flexible and effective mechanisms of cooperation, need to be adopted;
- permanent cooperation is possible only if the principle of independence of NGOs in the setting of their missions and goals is fully respected.

4.2 Aims and Measures

The fundamental aim of this document is the establishment of cooperation with NGOs in the spirit of sound partnership. The Government will fully respect the principles of differences and complementarity in its relationships with NGOs and strive for democratic cooperation, based on mutual trust. With a view to achieving this goal, the Government desires to:

- set up a lasting basis for the resolution of problems arising in the work and development of NGOs;
- contribute its share to the promotion of NGOs in society;
- introduce lasting forms whereby NGOs may exert influence on the formulation and implementation of Government policies and which will ensure public participation in adoption of acts by the State.

With a view to achieving the above goals, the Government will:

- make an incentive for the initiation of a lasting and constructive cooperation with NGOs,
- take into consideration, in its preparation of legislative and other bases, the need for a faster and unhampered development of NGOs;
- ensure that in their relations with non-government sector the Government and its departments will act in compliance with this document;
- define and implement various forms of cooperation with NGOs in the processes of formulation and implementation of its policies (participation in the drawing up of legislative and other strategic documents);
- encourage the transfer of public functions and competences to NGOs in all those areas where NGOs can deliver better and more efficient services;
- refrain in its work from any acts that might threaten independence of NGOs.

The Government is aware that the proposed establishment of cooperation is merely one option and is willing to discuss also other proposals/possibilities, put forward by NGOs. Until all forms of regular cooperation have been set up, the Government will transmit to NGOs all documents relevant for that process by means and within the agreed time frame. The Government's working bodies, designed for the needs of the implementation of this Strategy, will consider all proposals and incentives put forward by the NGOs that influence their position or the area of their activity and cannot be dealt with at the level of the line ministry.

5. ADDITIONAL MEASURES

By the time of signing the Agreement on cooperation between the Government and NGOs, the Government will ensure that analyses have been carried out with respect to the following:

- existing forms of participation of NGOs in the formulation and implementation of Government policies;
- legal and economic framework for the work of NGOs, and
- possibility that certain public functions be carried out by NGOs.

On the basis of the above analyses, the Government will adopt additional necessary measures.



Annex 5: Program national conference

UZPOSTAVIMO SODELOVANJE Prva nacionalna konferenca



National Conference will take place on 17 December 2003
beginning at 10.00 a.m., conclusion at 17.00 p.m.
Venue: Viba Film, Stegne 5, Ljubljana

The final program of the Conference will be submitted to you as soon as being harmonized.

DRAFT PROGRAM OF THE NATIONAL CONFERENCE ***ESTABLISHMENT OF COOPERATION***

MORNING SESSIONS

1. Welcoming speeches

- Welcoming speeches by two representatives of government offices and two representatives of the Non-Governmental Organizations

2. Presentations of the Strategic documents

- Presentation of the Governmental Strategy on Cooperation With the Non-Governmental Organizations and the Governmental Strategy of Public Sector Development,
- Presentation of the Non-Governmental Strategy of Systematic Development of Non-Governmental Organizations for the Period 2003-2008 and presentation of the other relevant strategic documents.

3. Establishment of the Civil Dialogue

- Presentation of the elements for the formation of Draft Agreement for cooperation between the Slovene Government and Non-Governmental Organizations from the NGOs' perspective
- Presentation of the elements for the formation of Draft agreement for the cooperation between Slovene Government and Non-Governmental Organizations from the governmental perspective
- Discussion

4. Break

AFTERNOON SESSIONS:

5. Content-related discussions on the priorities defined by NGOs / moderated workshops in the fields of:

- Legislation
- Budgetary resources
- Human resources
- Promotion of Non-Governmental Organizations

6. Presentations of the reports of working groups:

- Legislation
- Budgetary resources
- Human resources
- Promotion of Non-Governmental Organizations

7. Conclusion

- Conclusions of the Conference

Annex 6: Terms of Reference for research and action program

Introduction

After the National Conference on 17 December 2003 an intertwined range of political and organisational measures and related research projects should be put into a timeframe for developing the next phase of structured dialogue between Government and NGO's. Some measures need to be based on research before they can be considered seriously but some research is only relevant if specific measures are a realistic option.

This memorandum is a frame of reference for making decisions on research-priorities as well as other activities within a perspective of steps for further policy-development. This is based on relevant government-statements and documents provided by NGO's and Slovenian experts, as well as on a series of interviews with opinion leaders on the subject in Government, NGO's and Science Institutes, as mentioned at the bottom of this paper.

The four priority-areas as defined by the NGO-group preparing statements for the National Conference are considered here as a basis for clustering potential research-projects:

1. recognition in dialogue,
2. human resources development,
3. funding mechanisms,
4. improved legislation.

This should be linked with an approach based on the functions of NGO's in relation to the needs they (could) fulfil in respective sectors of society. In other words: the debate should shift from "NGO's are important in civil society" towards "Why does society need NGO's? For what sort of functions are NGO's instrumental, more than state-institutes or commercial providers?"

Benchmarking and needs-assessment could provide explicit legitimacy for better funding and attribution of competence towards NGOs on rational grounds. It can also bring about a basis for consistent policy in respective sectors.

For this approach first we have to recall the distinction made between NGOs based on their functions in civil society:

Public services	Social Connection	Civil Voice
- Social Care / Welfare	- Group work	- Human Rights
- Health Care	- Sports	- Environment
- Education	- Recreation	- Consumer Protection
- Culture	- Empowerment	- Social Equality

For NGOs mainly providing (alternative) *public services* and *social connections* an approach via needs-assessment is most relevant (see I).

NGOs that are mostly into *civil voice-activities* usually do not fit into this needs-assessment-approach. For them the assessment of their functionality and impact in civil society is more important (see II).

I. Benchmarking and social needs in civil society

(recognition + human resources + funding)

For benchmarking the NGO-sector and matching it with desirable results, a current inventory of existing NGO's has to be the starting point: "Who is doing what at what costs". The inventories that were made in the late nineties by dr Maja Vojnovic and dr Andreja Crnak in Matra-project SL/97/01 'Strategy development to Support NGOs' (Ljubljana 20-6-2000) could serve as a standardised database for this benchmarking, provided updates could be made, based on functional analysis, including economic value-assessment of the NGO-sector with emphasis on government-funding of NGOs in percentage of gross domestic product (GDP). This should include not only the yearly amount of cash, involved in subsidies and tenders, but also the value of real estate and human resources invested directly in NGOs by government on national and local level; as well as an estimation of the amount of total tax-reduction for corporate and private donors to NGOs..

The yearly percentage of GDP government spends on NGOs can be compared with that of other countries. This can only be a rough exercise, but it could give some global indicators for the percentage/level of spending that would be desirable in Slovenia. In other words: what percentage of GDP-spending on NGOs would be a reasonable political target to achieve within a set timeframe. An international comparison could be complemented and underlined with some projects for needs-assessment in Slovenia: what are the needs in (civil) society that should or could be fulfilled by NGOs. Although those needs can only be assessed reasonably for public services in some specific segments of care and welfare, the data that can be collected out of such assessments can give significant indications on "the quality of civil society" in Slovenia and desirable directions for policy-development.

This can apply to well-known, traditional areas in care and welfare as well as to 'grey' areas marked by collective dissatisfaction and uncertainty, missing links, opportunities for new developments etc. The needs-assessment-approach is feasible on the national, but even more so on the local and institutional level.

When linking up what is provided and what is needed on certain issues, more awareness may arise about ratios for privatisation and about what sort of contributions in society to expect from NGOs. What types of services and support do people want? Is the sort of service or support they want available at all? Are people satisfied with the services they get or do they have different expectations? How do people assess accessibility, flexibility, client-orientation, effectiveness, etc? Why and when people will look for non-traditional solutions?

Activities can be identified that fit well into NGO-characteristics, since they can be supposed to have close links to small target-groups, they could involve highly motivated volunteers, they may provide tailor-made, unconventional interventions, they may be flexible, etc. This is especially relevant for new activities in public services like welfare, care and education. These services should be linked somehow to the needs in the population. If there is a high amount of dissatisfaction and uncertainty in specific areas needs-assessments and function analyses can provoke changes.

For analogies one could check methodologies as used in Slovenian/IMF-studies 'Qualification of infrastructure needs' and 'Investment needs in Infrastructure', (prof Mojmir Mrak), and other (international) examples in healthcare and welfare. Pilot studies with guided interviews for needs assessment will prove very useful for analysing the degree of 'needs-orientation' in existing, traditional public services to be compared with 'alternative' providers, such as NGO's.

This approach surpasses the issue of NGO-development as such, but it is instrumental in bringing about a shift towards privatisation of human resources, which is closely linked with NGO-policy. Again, this approach is only relevant for a limited group of NGOs providing specific public services, but the results of needs-assessment may have a far-reaching impact on political and public awareness regarding the quality of civil society.

Improvement of recognised competence and funding of NGOs via needs-assessment may seem a bit ambitious, but in the longer term this approach based on market-orientation may gain more sustainability and political support. Of course it is not realistic to cover the whole field of public services this way. Main focus should be on *pilot research-projects* in areas where a lot of NGO-activity is observed in relation to a traditional infrastructure that is considered by many as unsatisfactory, insufficient or non-existent. Adequate financial support etc should be considered when NGOs fill a gap or when they seem to perform more needs oriented than traditional providers do.

Some examples: terminal care, local welfare facilities, support for situations like violence in the family and drug-addiction, childcare, care for the elderly, etc

However needs-orientation is just one of the approaches used to shape civil society, it is a basic one though. It should be a matter of ongoing assessment when working out the following questions:

1. What external conditions are needed for optimal functioning of NGO's in relation to their targets ? (See II)
2. What inner organisational conditions are needed for NGO's to fulfil their mission ? (See III)
3. How to attract and involve public *and* private money for NGO's ?(See IV)

Summarized proposals for research

- Have 'Strategy development to support NGOs' (Crnac/Vojnovic) updated and categorise sorts of NGO-activities in terms of functions that can be related to needs in society. (Addendum B1)
- Make preliminary outline for segmented pilot studies in needs-assessment for public services. Guided interviews. Analogies with methodology in 'Qualification in infrastructure needs' (Addendum B1)

II. Improve impact of civil voice

(Recognition in partnership)

Effective dialogue

Real involvement of NGO's in development of legislation and government-policy has two sides as pointed out in the 'Strategy-document': *government* has to recognise the potentials and legitimacy of NGO's as experts in their specific fields, while *NGO's* themselves have to be capable and transparent in their presentation.

SVEZ / Matra-survey on concrete NGO-involvement in ministerial policy-development can serve as a basis for more detailed analyses and best-practise assessments in about 60 policy-areas identified as relevant for civil participation and involvement in all ministries and state-institutes.

NGO's should be enabled to provide feed-back on data and evaluations from the ministries and take measures to improve effectiveness of participation where needed. This should be an ongoing process, to be updated and assessed from both sides yearly.



Infrastructure and networks of NGO's should support their empowerment, strengthen their consistency and improve their transparency and accessibility.

There are methodologies for 'network-research' looking for functionality of organisations and 'organisations of organisations'. What is the added value of a 'network' in terms of transparency, political and social power, image, inward or outward orientation, etc ? This should be studied on respective levels taking into account the interrelation of those levels.

- *National umbrella's and cooperation-structures.*

The question is: what sorts of cooperation and mutual support are needed in this stage of development at the national level. NGO's can be advised on the basis of an objective analysis, possibly followed up by targeted network-research if that is needed.

- *Sectorial umbrella's and cooperation structures.*

In some sectors this has been developed quite rationally, but there may be a need for updates or other approaches. This is not primarily the task of the National Commission but efforts of respective ministries and their policy-sectors could be coordinated in terms of methodology and synergy.

- *Local and regional cooperation-structures.*

This level just started to be institutionalised.

A series of regional conferences organised by SVEZ / Matra in close cooperation with Regional Agencies and the NGO-community, resulted in a first inventory, which should be followed up by more specific analyses.

- *Interface between the levels.*

It is important to look analytically at the synergy of national, sectorial and regional approaches in terms of transparency and effectiveness, that does not come naturally.

Summarized proposal for research

- Send Matra-survey to NGO's for feedback, discuss it with the ministries and organise yearly improvement and update. Analyse best practises and synergy between the ministries. (Addendum A5)
- Make objective network-analysis of NGO-cooperation, discuss with NGO's the need for specified network-research on national, sectorial and local level. Be alert on interface. (Addendum A6, B3)

Transparency and effectiveness of NGO-community

III. Functional effectiveness of NGO-organisations

(recognition + human resources)

NGO-organisations are often a tough challenge for consistent planning and goal-oriented performance. This is caused by many obvious reasons and the usual management-problems in NGO's represent a classical pattern in all countries.

Of course NGOs are totally free to come and go, and to organise and manifest themselves as they wish. By definition they symbolise the freedom of organisation and the freedom of expression in a free and democratic society. That is the core of civil society as stated in the "Strategy Document on Civil Dialogue" and so many national and international charters, constitutions and regulations.

But in as far as NGO's take serious responsibilities in providing public services based on needs-orientation and social responsibilities, even more so when their core-business will be calculated in terms of added value to the GDP, and when they are financially supported and recognised as providers by government, it is good to assess the minimal conditions for organisational consistency and reasonable performance. NGO's then should be supported in realising the minimal conditions for their tasks. It will be useful to have comparative research-data about specific characteristics and tools for organisation and management of NGOs. Examples of issues to be covered:

- *Voluntarism in NGO's.*

There are many specific characteristics to voluntarism in an organised setting. It is hard to give strict orders to people who are not getting paid for their work. They do not want to deal with bureaucracy and hierarchies, because that is not what they came for.

Another example, volunteers in NGO's mostly are either young or old. The generations in-between are relatively under-represented, because they deal with a 'regular career', raising children, etc. This generation gap can be very hard to handle when synergy is needed.

And of course there are many more difficult aspects, but the question is how an NGO can be enabled to cherish the positive side of voluntarism.

- *The lifecycle of NGO's.*

There is a natural time-span of organised enthusiasm and idealism. People start off with a dream but frustrations build inevitably. There is also a 'natural' cycle of organisational collapse, for example when the organisation is growing, the pioneers get bored with pure management-duties and new-comers start inventing the wheel. Explicit support is needed in specific phases of the life-cycle, highly depending on the type of NGO and the sort of people involved of course.

- *Professionalism in NGO's.*

Most NGO's need professionals (or at least people who get paid) for certain parts of the job that has to be done. Especially in NGO's performing public services there is a lot of work that is too complicated or just cannot be put as a burden on volunteers.

Classic patterns of tension will arise when the number of professionals is growing in an NGO or when they are needed in coordinating or leading positions.

To avoid unnecessary damage NGO's need to be supported at the right moment when things tend to go wrong, or at least they should be warned and instructed about obvious threats. Of course it is not a primary responsibility of government to provide this sort of organisational support. But government should be aware of many of those 'natural' problems and it should be taken into account when creating conditions for serious NGO- policy.

Summarized proposal for research

- Look into conditions for support of NGO-management.
What are the minimal conditions an NGO needs to perform its supposed tasks and to survive a reasonable time span? General knowledge about this should be made easily available.
(Addendum B4).

IV. NGO's as a legitimate part of civil society

(recognition + legislation + funding)

NGO's have been defined in 'political' terms in the 'Strategy-document for structured dialogue'. This definition fits into European standards, it is relevant and useful for public or political debate, but it needs further explication and fine-tuning to become instrumental respectively in terms of 1) economic data, 2) statistics, 3) legal entity, 4) different sorts of legislation.

Those four 'entrances' are closely interrelated, although they require different sorts of terminology. Some harmonisation is required to avoid walking in circles, although in the current situation a series of practical solutions is more realistic than a centralised master plan for an all encompassing 'NGO-law'.

Initial research is required to make some necessary steps in practical harmonisation now. Many proposals have been discussed already for concerted measures in the fields of legislation and tax-exemption; the state of the art in this debate has been summarised very well in the 'Working paper' (*Delovno gradivo za Pobudo za prihodnost NVO*) by PIC and presented by the 'coalition-group' of NGO's.

Adjust current legislation and policies

It points out the main alternative approaches, around which political decisions have to be centred.

This working paper calls for a serious dialogue between NGO's and government on the respective issues and dilemma's that are raised. Making an assessment on a limited number of issues for preliminary research derived from the questions raised in the working paper it would be aimed at reviewing conditions for funding and tax-facilities in the first place.

Most important is agreement on conceptualisation of:

1. activities in public interest
2. distinction profit / non-profit, esp. reinvestment in public interest
3. adequate registration of NGO-activities in national statistic database.

This has to be researched and developed *in a concerted way*, because they are *highly interdependent*, although it needs a multi-disciplinary approach.

The issues 1, 2 and 3 are mainly aiming at improvement and adjustment of existing regulations and policies in Slovenia. Generally speaking it will be more realistic to explore these possibilities now than to aim primarily at conceptions that will be considered quite deviating from current developments in state-reform.

Most European countries have their sets of criteria to deal with NGO-policy so Slovenia can profit from a lot of data that are made easily available already, like in the *Survey of tax laws* by the International Centre for Non-Profit-Law (ICNL, Regional Office CEE). This Survey provides highly relevant comparative studies on tax-exemption methods in most Eastern European countries including Slovenia.

Generally speaking the possibilities for tax-deduction concerning NGOs and their donors are rather good in Slovenia, although a number of improvements and revisions may be needed to settle the real standard for the longer term.

Inventories of relevant facts for current Slovenian practise in taxation and national statistics should be updated with respect to renewed regulations for tax-exemption as submitted to parliament recently. .

Define 'public interest' in terms of taxation and statistical data.

Activities 'in public interest' should be entitled to stimulating tax facilities *and* they have to be registered as a specific field of economic and public interest. Not only NGO's are working in the field of 'public interest' of course but also it is one of the main criteria to identify them in legal and economic terms.



Comparative studies showing the working-definition of 'public interest' in some relevant countries will be helpful to identify the concept in Slovenia. Often it is a matter of combining regulations with jurisdiction and policy-statements. The concept usually is not clear-cut from the beginning, but it has mostly developed in the realm of tax-exemptions. Besides it is important to define public-interest activities of NGO's in terms of national statistic data-collection as well.

When 'public interest' has been defined properly, as a next step the distinction between NGO's and other entities working in the public interest should be made, which is important in relation to status, privileges, competence and financial benefits organisations can get;

1. *Legal format*, dealing with the ongoing debate about the Associations Act and other regulations on legal entities, as well as with dysfunctional lack of consistency between respective Slovenian laws and regulations. Inventories of these inconsistencies have been made, it should be analysed whether it blocks NGO's unreasonably from recognition and proper financing. Other than mere semantics.
2. *Independence of state-authority*, which is one of the main characteristics of NGO's. Especially in Eastern-European countries the debate puts an emphasis on privatisation of government-services and -activities. In idealistic terms this is about making public services less bureaucratic, more needs-oriented and market-conform.
3. *Some -politically defined- excluding criteria* should be made more explicit. For example churches, political parties, hospitals, universities, trade-unions, etc are traditionally not considered being NGO's. Most of them already have their own well-established 'status' in society, embedded in specific privileges and regulations. NGO's often are an expression of new dynamics and new belief systems, or at least they have weak roots in traditional establishment, that can be their added value in society.

Summarized proposals for research

- Make comparative study of the concept of 'public interest' related to NGO-recognition and tax-exemption in some neighbouring and western-European countries. (Addendum A1).
- Make comparative study on categories of CSO's and other 'organisations in public interest', that are usually excluded from formal NGO-definition because they have a separate (legal) status traditionally. (Addendum A1).
- Assess existing inventory of legal inconsistencies regarding NGO's in Slovenian laws and by-laws on possibility of negative effects; design proposals for improvement. Focus on categorial by-laws of Associations Act. (Addendum A1).

Make operational distinction between profit / non-profit.

While the definition of 'public interest' is primarily important for distinction between state-services and traditional concessionaires on one side and NGO's on the other, the issue of profit and non-profit is important for the distinction between commercial activities and NGO's. That distinction is mainly instrumental for taxation-facilities: profit is taxed, 'profit' (if any) in a non-profit-organisation should be reinvested in goals and activities for public interest.

The definition of 'public interest' is the basic starting point (see 1 above). In most European countries criteria for non-profit accounting are globally described in regulations and jurisdiction, while tax-authorities are the ones to decide whether an organisation is working on a non-profit-basis in each individual case. This also happens in Slovenia but it is surrounded with a lot of uncertainties yet. Especially for stimulating donors and VAT-regulations the situation is still not good enough.

In Slovenia proposals have been made to create a centralised body that would get the authority to decide whether the character of an organisation fits into the criteria for dealing mostly with activities in the 'public interest' and on a 'non-profit-basis'.

This should require a specific NGO-law. While there are some advantages in this centralised model at first sight, the disadvantages of such a separate institution and the obstacles for the political process leading to it may easily be underestimated. But research to valuate the model in Slovenian settings could be useful.

Apart from that it could probably be more practical to do comparative research on guidelines and accountancy-rules in some other countries for usual non-profit-criteria and assessment on reinvestment of income in public interest goals, when allowing tax reductions. One could argue whether it is in the direct interest of NGOs to push for more standardised control-mechanism on the non-profit-status for income- and profit-tax. But from a government's point of view a more refined justification- and control-system may be required in the future, which is also in the long-term-interest of NGOs..

Summarized proposal for research

- Make an inventory of explicit and unfair disadvantages for NGOs, in current tax-legislation. (Addendum A2).
- Make comprehensive handout for NGOs. (Addendum A2) Use some of the comparative information in ICNLs *Survey on tax-laws*.

When organisations and activities are not registered properly in the national statistical data collections they are almost non-existent for serious policy-making in general economical terms.

NGO's should become a clearly identified category in Chapter III ('Business Subjects') of the Statistical Yearbook and their activities should be traceable in the Standard Classification of Activities. Currently NGO's are mainly registered in chapter III par.4: 'Business Subjects by legal organisation' under 'Associations' (12.000) and 'Foundations'(140), but the way this is done makes no sense for analysing relevant data or political assessment.

Legal entity should not be the main heading for this registration, since that is not the most relevant approach for the 'value' of activities. But even if so, the data would not be useful. Out of 19.000 existing Associations, only 12.000 are reporting their output, so 7000 are not registered in statistics. But many of the registered 12.000 Associations probably have to be considered profit-organisation according to current tax-regulations, but this is never assessed properly in terms of 'reinvestment in public interest'.

Of those 12.000 Associations only about 1000 are mentioned in terms of gross domestic product (GDP) but it is likely that almost all of those will be considered profit organisations under the current practise.

This way the actual registration is completely irrelevant for whatever political and economical observation or analysis regarding NGO's, although the introduction to Chapter III in the Statistical Yearbook may indicate otherwise.

Based on what should be clarified about defining 'public interest' and 'non-profit', as elaborated on before, the approach for the statistical data-collection regarding NGO's should be revised drastically in such a way that their added value for society can become visible and transparent. Only defined 'non governmental organisations' working in the 'public interest' should be registered as 'NGO' in as far as they have been yearly assessed by their accountants and/or tax-authorities as being operating on a non-profit-basis.

In order to achieve this the following steps in research have to be considered:

Summarized proposals for research

- Assess system, approach and quality of current registration and statistical data collection on 'Associations', 'Foundations' and 'Classification of Activities' from the perspective of 'real' NGO's (public interest and non-profit).

Improve statistic registration of NGO-activities

Calculate potential effects
of innovative approaches

- Involve research done on categorising public-interest-NGO's and legally defining non-profit activities as indicated before under 1 and 2. Improved criteria for accounting, taxation and business-registration are a framework for more effective classification in the Statistical Year-book.
- Based on these findings new categories of Business Subjects and Activities have to be introduced in the classification system, which also should be harmonised with the '*European System of National Accounts*'.
- One of the things that ideally should be clarified somehow in this new classification is the calculated value of *professional as well as voluntary* input via NGO's in economy and welfare of the nation. (Addendum A3).

Apart from all sorts of adjustments and adaptations in favour of NGO-status in Slovenian society, some fundamental new concepts can be discussed and prepared for introduction as well. As mentioned before one of those is an NGO-law introducing specialised authorities to recognize and assess NGO's as for special privileges, funding and tax-facilities. This is one of the options brought forward from the NGO-community for discussion. Although at first sight it may bring about a lot of bureaucracy and potentials for conflict, it will be interesting to debate the pros and cons of such a model. But not at the cost of adjustments as mentioned in the previous paragraphs. Improvements of the current practise should not be postponed because something else might show up

A different example of innovative impulse is represented by the so-called 1%-tax-regulation, which in Hungary, Slovakia, Lithuania and Poland entitles citizens to designate 1% of the income tax they pay towards specific NGOs of their choice. It appears to be an effective trigger for the first stage of collective philanthropy. For Slovenia this does not seem a good model to introduce, unless it could be strongly adapted and modified in tune with the current stage of development. Some potential draw-backs of the 1%-system have to be considered seriously, like high costs for implementation and administration, lots of extra work for NGOs without guaranteed revenue, more benefits for big and well known NGOs, commercial side-effects, loss of undesignated money, etc.

But elements of this system could be considered quite interesting as an instrument for raising public awareness and could be worked out for the Slovenian situation in relation to the needs-assessment-approach as mentioned under I. The 1%-system is, apart from other things, a tool to find out what is important for citizens.



What sort of NGOs do they consider the most valuable? In a way market research and surveys could be considered as more refined and sophisticated instruments to get in touch with public opinion on these issues. So it could be a useful approach to link needs-assessments with some sort of public evaluation on mission and activities of NGOs in specific sectors. This concept can be put into debate without the imminent danger of postponing necessary adjustments in the current system; it could be just an extra impulse.

In the long term *general NGO-policy as such* will not remain or become a sexy issue for policy-making. For the general public NGOs are mostly visible in their sectorial contexts, such as social welfare, environment or culture. But an effective way to give a positive push to general NGO-policy-development is to tune into innovative policy-areas that generate power and public interest by themselves.

So it will be wise to define policy-fields that have a substantial relation with the realm of NGO-development, so they can profit from actual trends in politics, media and public opinion. Targets in NGO-policy could partly be re-defined into terminology and goals of those policy-trends.

Some policy-fields to be considered closely related:

- sustainable development
- privatisation of human resources
- modernisation of public administration
- decentralisation, regionalisation and local autonomy
- information society
- equal opportunities, democratisation
- development cooperation
- EU-accession

Summarized proposal for research

- Discuss innovative approaches to promote improvements in NGO-sector, but that should not postpone a process of adjustments in current practise.
- Design a plan for public surveys on specific NGO-activities related to needs-assessments. Analyse analogies with results of the 1%-system as it is functioning in other some countries. (Addendum B2).
- Tune into successful political trends that could strengthen NGO-policy. (Addendum A4).

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dr Fons Dekkers, Matra / Mede
Slovenia / Holland, 30 January 2004



Addendum: Planning of research and activities

This is an action plan based on the "Summarized proposals" in the "Terms of Reference". A list of activities to be performed by the ministries themselves is given *under A*. It is about small research projects, inventories, fact-finding and decision-making that should be done preferably under direct responsibility and management of civil servants in the ministries, who are dealing themselves with the issues at stake. In most cases a small working group of representatives from two or more ministries/offices involved would be most feasible. In a number of cases it is advisable to work closely together from the very beginning with representatives from NGOs and/or Slovenian experts who are involved in those specific issues.

In my planning-proposals I have indicated per item the ministries that could be considered the most involved; participants can be added of course. When I think close cooperation with NGOs is needed on that issue, I have indicated "Initiative group" meaning the national networks of NGOs, cooperating in the dialogue with government; it would be up to them to appoint the right experts on their behalf.

Proposals for research-projects to be referred to universities or scientific institutes are mentioned *under B*. Decisions should be made by SVEZ and ministries about priorities and budget-restrictions. Depending on the content those projects can be submitted as "call for proposals", or be realised under research-contract with (a pool of) researchers.

The framework for research and activities has to be reviewed once more by the Interministerial Workgroup and the National Commission. NGOs involved in the dialogue should be consulted about it. Activities and projects will be initiated and coordinated by SVEZ. Working-groups themselves will be responsible for their results, feedback and conditions of operation.

A. By ministries themselves

Refine definitions

1. Define the concepts of "public interest" and "NGO" in economic and legal terms, based on definition in "Strategy Document on Dialogue Government-NGOs" by:
 - Making proposals based on limited comparative international inventory
 - Making a list of "political" decisions to be made for this definition.

Working group: Ministry of Interior and Statistical Office plus "Initiative Group NGOs" incl. Trust-project (3 months)

2. Match those definitions of "NGO" and "Public Interest" with existing inventories of legal and regulatory inconsistencies in government-regulations. In addition analyse inventory of legal documents requiring NGO-involvement in ministerial policy-making (in survey under A5). Propose urgent changes.

Working group: Ministry of Interior and Ministry of Justice plus PIC (1 month)

Clarify tax-exemptions

1. Check and describe current position of NGOs regarding tax-exemptions after revision of taxation-laws. (1 month)
2. Make comprehensive hand-out on tax-exemptions and related procedures for NGO-administrators. (2 months)
3. Analyse current system for assessment and control in relation to existing criteria for non-profit and profit-reinvestment. Propose consistent accountancy-rules for this.

Projects 2a, b and c can be combined in one Working group: Ministry of Finance and Ministry of Interior, plus PIC, SDOZ and others, plus accountancy-expertise, (involvement ICNL?). (1 year)

Improve statistic registration of NGOs

1. Assess current system of registering NGOs in yearly economical and statistical data-publications.
2. Define criteria for improvement of NGO-registration as "Business Subjects" in "Statistical Yearbook" and in "Standard Classification of Activities". This should be harmonised with "European System of National Accounts". Including implementation.

Working group as under 3a. (2 years)

Tune in to related political trends

- Make inventory of main areas in general policy-development having any relation with general NGO-policy. Describe how and where to tune in to those policy-areas with issues that have an impact for the NGO-community.

SVEZ plus Interministerial Working group (1 month)

Assess NGO-involvement in policy-making

- Refine Matra/SVEZ-survey on NGO-involvement in specific fields of ministerial policy-making and get systematic feed back from NGO-community. Prepare yearly assessment based on this model.

SVEZ / Matra (3 more months and continuation per year)

Assess effectiveness of NGO-networks

- Analyse structures of NGO-networks on national, sectorial and local level from a government's point of view. Discuss bottlenecks and potentials with NGO-community. Support improvements. In a later stage it can be useful for further development and conflict-solving to define specific projects for "network research" on different levels by social scientists (see also "B. Science..." under 2).

SVEZ / Matra, plus "Initiative Group NGOs" (6 months)

B. By scientific research institutes

Introduce economic approach via benchmarking and needs assessment

1. Update "Strategy development to support NGOs" as an inventory of the state of affairs in the NGO-community, identifying functions, quantities and economic values. This updated inventory could serve multiple purposes of high priority:
 - Provide standards for (economic) data-collection
 - Provide basic data for international benchmarking
 - Provide basic data for needs-assessment-projects (see B.1.b.)

SVEZ could contract authors (Vojnovi / ernak) to make update and benchmark-analysis in cooperation with Social and Economic Faculty, University of Ljubljana (6 months)
2. Long-term research-program on social needs.
 - *1st step:* Identify areas for (urgent) pilot-studies in assessment of social needs, for example: terminal care, reintegration of psychiatric patients, care for Alzheimer-patients, adults-education. Ministries and field-experts together should identify these areas and design terms of reference for a number of pilot research-projects preferably in health-care and social welfare. (3 months)
 - *2nd step:* Prepare call for proposals and realisation of these needs-assessment projects with guided interviews and related methodologies. Involve in the assessment "traditional" service providers as well as existing and proposed NGO-initiatives for alternative service. (6 months)
 - *3rd step:* Select effective research-models and expand research to other areas for needs-assessment. Start facilitating and supporting NGOs based on outcomes of needs-assessments. And also use that to develop incentives for needs-orientation in traditional public services. (4 years and longer)

Call for proposals initiated by working group of SVEZ, Ministry of Labour, Family and Social Affairs, and Ministry of Health, plus group of NGOs involved in public services.

Analyse / evaluate centralised systems for NGO-support

- Make comparative analysis of positive and negative effects for NGOs related to "centralised" systems for support of NGOs as were introduced in some Eastern European countries during the last decade, like the 1%-tax-regulation and constructions as a Central NGO-Council and a specified "supra-sectorial" NGO-paragraph in the national budget, preferably in connection with each other. Since a lot research has been done in this field already, it will be relatively easy to collect data and apply them on the Slovenian situation.

Call for proposals, involve PIC-publications. (3 months)

Consider specific network research on NGO-structures

- Based on analysis on effectiveness of NGO-networks, as mentioned in A6, ministries in accordance with NGO-community can decide on specific cases and questions for sociological network research.

SVEZ: analysis (time span unspecified)

Support working-conditions in NGOs

- Promote and stimulate research on life cycle, organisational conditions, management tools, marketing tools etc, that can be used to create understanding about specifics of NGO-organisations and ways to deal with some of the specific problems to manage and finance them. Support publications and hand-outs for common understanding. This could also create rationales for effective communication and for having realistic expectations on the side of government.

SVEZ/Matra/"InitiativeGroupNGOs":define terms of reference for some short-term projects (4 months)



Annex 7: Regional workshops for promotion of NGO strategies in Slovenia

Background

The 12 regional workshops were carried out as a tool for regional dissemination of results of the two strategic processes for the development of the NGO sector in Slovenia (NGO and government) as well as frameworks for motivating the participants to develop cooperation with and support to NGOs at the local/regional level. They were part of a wider process leading towards the Government-NGOs national conference on 17 December 2003.

Objectives

- to inform participants of the strategic processes for the development of the NGO sector in Slovenia (NGO and government)
- to contribute to the transfer of the participation model of cooperation with NGOs from national to the local/regional level
- to contribute to the preparation process for the national conference

Workshops

- 01: Trbovlje, 1. oktober
- 02: Krško, 9. oktober
- 03: Dravograd, 16. oktober
- 04: Maribor, 17. oktober
- 05: Celje, 22. oktober
- 06: Postojna, 24. oktober
- 07: Šempeter pri Gorici, 24. oktober
- 08: Ljubljana (Pekel), 14. november
- 09: Kranj, 19. november
- 10: Novo mesto, 21. november
- 11: Koper, 26. november
- 12: Murska Sobota, 27. november

Key messages from workshops

The following have been identified during the workshops as the key features of the NGOs' role in local and regional development:

- visionary, timeless and apolitical role that is key from the point of view of sustainable development
- contribution to a holistic quality of life – NGO activity eases tensions in society and fills the gap of one-sided economic development in the spirit of social and environmental values as well as human rights

- monitoring and evaluation of events and politics
- social innovation
- education and awareness raising of members and of general public (promotion of positive values)
- counterbalance to globalisation – promotion and nurturing of local traditions and heritage
- connecting and activating of potential sources and actors
- employment opportunity
- financial efficiency – value is added with voluntary work and motivation

The main problems that NGOs are facing in their operations and in participating in local and regional development are as follows:

- the role of NGOs is not sufficiently recognised and acknowledged in society
- insufficient involvement of NGOs in decision-making and planning at the local and regional level
- funding – not enough funds are available (for some fields of activities there are none in municipal budgets), unfavorable dynamics of payments, limitations of a project based way of funding (too short-term), demanding application procedures, lack of tax exemptions
- poor human resources in organisations (lack of project management and project preparation skills; employment is expensive)
- inadequate information and transparency of the sector (incomplete information data bases)

As problems of greatest importance and a high level of local authority the following were chosen for searching solutions:

- cooperation and networking among organisations in regions
- promoting dialogue in local interest
- promoting local funding sources
- improvement of human resources structure in organisations (skills, knowledge and employment)

Follow-up

During the meeting on 19 December 2003 with Fons Dekkers and Irma Meznaric the following ideas were discussed as possible follow-up activities:

- promoting NGO involvement and participation in decision-making at the local level
- NGO participation in regional planning (second cycle due to start in 2004 for the 2006-10 period)

- developing local funding sources
- capacity building for NGOs at the local level.

Considering that development of local funding sources is integrated in the programme of the Trust for Civil Society for Slovenia 2004-2006 and the capacity building is a priority issue in the dialogue between NGOs and the government, the most appropriate area of action in the period up to March 2004 appears to be NGO participation in regional planning.

In order to promote this issue for the second planning cycle Vida will make contacts in order to explore interest among various actors (selected regional development agencies, government office and national agency for regional development) and motivate them to start working on this topic together. An internal workshop of these actors is foreseen for March 2004.

28 January 2004 by Vida Ogorelec Wagner, Modra d.o.o.



Annex 8: Governmental co-ordination structure NGO's

A formalised working-structure has to be established to achieve governmental co-ordination for developing consistent inter-ministerial NGO-policies in Slovenia.

To be fruitful this structure should combine:

1. Political intention and ability to conceptualise and to build 'civil society'.
2. Everyday practise and experiences in the ministries dealing with NGO's.
3. Awareness and skill to create an open and interactive government-culture.
4. Competence to take effective decisions on an inter-ministerial level.
5. Competence and authority to influence legislation and parliamentary debate.

To make this operational three levels of concerted activity throughout the entire government-structure have to be defined. These levels should closely co-operate and develop common awareness.

1. **Expert-level:** civil servants within the ministries deal with NGO's in terms of funding, facilities, debate and other interactions, as part of their daily work; they will exchange information and identify NGO-related problems and solutions systematically within the working structure.
2. **Co-ordination level:** bring together these experiences and identify related problems and challenges; manage the process of governmental policy-development; prepare governmental and political policy-decisions.
3. **Decision-making-level:** make effective policy-decisions at inter-ministerial level and design the process of political debate and legislation on the basis of concerted guidelines for NGO-policies.

1. Expert-level

In every ministry a co-ordinator for NGO-policy-development will be appointed formally. This should be a person dealing with NGO's, sensitive to this aspect of civil society as well as involved in governmental culture. In most ministries more than one person is dealing with NGO's, so the co-ordinator should interact with them and try to harmonise NGO-policies within that ministry, which in its turn will be communicated with the inter-ministerial level.

These NGO-coordinators and other civil servants in the Ministries and Government Offices involved in working with NGO's assemble 2 or 3 times a year for an inter-ministerial conference (like the first one that was held in Brdo).

Co-ordinators for NGO-policies within the Ministries

Inter-ministerial conferences on NGO-policy

Working groups	<p>Target of these conferences is:</p> <ul style="list-style-type: none"> • Information exchange, knowing each other, mutual trust and awareness. • Identify new developments and policy-issues, define collective problems. • Indicate solutions, make suggestions for improving policies and procedures. <p>Complex issues will be identified, that have to be analysed and put into perspective by a number of experts. The working groups will have a task-description limited in target and time-span. They are facilitated and supported by the co-ordinating level and develop proposals that will be presented to the decision-making-level.</p> <p>It is generally acknowledged that at least two working-groups are needed from the start. One on 'Legislation' and one on 'Funding'. Task-description in Annex.</p>
Co-ordinating Office	<p>2. Co-ordination level</p> <p>There must be an office or a unit within the government-structure that is responsible for co-ordinating this process of inter-ministerial NGO-policy-development on a day-to-day basis. At the inter-ministerial conference in Brdo it was generally agreed, that SVEZ currently would be the most feasible unit in the government-structure to deal with this. Conditions to make this operational have to be developed in terms of human resources, budget and facilities.</p>
Task Force	<p>A 'task force' in a governmental organisation is usually defined as a group of competent experts from different sectors of government with a specific task to bring about certain developments or changes. The task is usually limited to a short or mid-long term. A certain authority and competence has to be assigned to the task force in order to make it effective. It has to have a number of core-members for continuity, but specialised persons can be involved on a temporary basis for specific targets. The task force shall be chaired by SVEZ.</p> <p>This task force should serve the following goals:</p> <ul style="list-style-type: none"> • Support SVEZ in co-ordinating the policy-development-process throughout the government-structure. Facilitate the inter-ministerial conferences. • Support the working-groups and submit their output effectively to the decision-making-level. The chairpersons of the working-groups should be members of the task force. • Develop proposals for an NGO-Charter and other general policy-guidelines on recognition of NGO's and interaction with government. • Develop a creative and analytical approach towards 'civil society'. It will be useful to link one or two academics (sociologist or politicologist) with the task force to write conceptual papers about specific issues.



3. Decision-making level

This Committee must have the authority to make or call for decisions on government level or effectively influence the processes of legislation and budget-cycles, as well as parliamentary debate. It should consist mainly of functionaries at the level of state-secretaries or office-directors, preferably with some expertise in the world of NGO's. There should be an efficient feed-back between this committee and the other two levels of this working structure. Their decisions should be taken on the basis of documents and proposals prepared and co-ordinated by SVEZ, task force and working-groups.

They will execute the following tasks:

- Design common principles for implementation of ministries' and government offices' programs in the field of co-operation with NGO's.
- Prepare expertise for implementation of government strategy for co-operation with NGO's
- Identify and harmonise proposals for new laws and administrative acts dealing with the status of NGO's or having consequences for governmental cooperation with NGO's.
- Co-ordinate structural dialogue between government and NGO's including questions related to preparation and execution of tasks and policies as mentioned before.

Matra team

19 april 2002

Government Committee
for NGO-Policy

Annex: Taks-description for two actual working-groups

Working-group 'Legislation'.

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|--------|---|
| Target | Propose integral system for definitions and legal status of NGO's in order to facilitate equity in <i>recognition, funding and tax-regulations</i> from a legal point of view. |
| Action | <ul style="list-style-type: none"> • Describe key elements for legal characteristics of NGO's needed to specify their legal identity and status. • Check and compare (existing and proposed) laws and regulations on desired, conflicting and missing definitions like: 'public interest', 'not for profit', 'private institute', 'association', 'foundation', etc. • Analyse distinctions for government responsibilities towards NGO's on national, regional and local level. • Analyse consequences of terminology in legislation for possibilities to introduce a system of tax-reduction for NGO's and their donors. |

Working-procedure	<p>Discuss actual proposal for Associations Act based on analysis of key-elements as mentioned before. Compare them with relevant analogies in pending proposals like 'System Law on Culture', 'Law on Addiction-treatment', 'Act on Sports', 'Law on the Chamber of Agriculture and Forestry', 'Laws on Corporate Taxation', etc,</p> <p>as well as with proposed legislation on disabled people, mental health, drugs, humanitarian organisations, etc. And also with existing programs and written agreements regarding NGO's in respective ministries.</p> <p>Assess proposals from NGO-side.</p>
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Working-group 'Funding'.

- | | |
|--------|---|
| Target | Propose integral framework for harmonised and improved funding-procedures for NGO's on long term and short term. |
| Action | <ul style="list-style-type: none"> • Make an inventory of total actual government-budget spent on NGO's. • Make an inventory of existing procedures for tendering and other funding-methods. Identify problems, conflicts and inconsistencies. • Develop functional ratios for different funding-systems like 'project funding', 'core funding' and 'tendering'. |



- *On the short term:* improve and harmonise existing tendering procedures (more effective timing, transparent procedures and criteria).
- *On the long term:* develop and harmonise systems for 'program-funding' and timely budget-assignment for those programs (on the level of separate ministries as well as on the general government-level).

Discuss possibilities to assess rules and regulations blocking justified diversity in funding procedures. Develop criteria for distinctions between core-funding and project-funding. Develop criteria for long term concessions. Promote possibilities for program-funding.

Assess proposals from several ministries and NGO-side to improve timing and criteria for tendering procedures. Create conditions for information-exchange between ministries and accessible databases about calls-for-proposals.

Working procedure

